

NOTICE OF  
TOWN COUNCIL WORKSESSION, PUBLIC HEARING & REGULAR MEETING  
TOWN OF PROVIDENCE VILLAGE, TEXAS  
PROVIDENCE COMMUNITY CENTER  
9400 WATERMAN DRIVE  
**MONDAY, AUGUST 22, 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 Lisa Garcia, Alderman Earnest Law and Alderman Mark McCullough. Mayor Pro-Tem 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**

Leonitas Ramos 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.*

Don Fisher who resides at 10200 Nantucket Dr., Providence Village, Texas and is a member of the Providence Village HOA addressed the Town Council regarding recent changes in the HOA's activities, including the status of collection of dues after the Board voted to allow people to pay their HOA dues quarterly which resulted in three times the deficiency in payment of dues and they are currently \$90K in arrears.

Mr. Fisher also reported that National Night Out has been cancelled and frozen fund accounts will impact the pool operations. He also stated that the HOA is offering amnesty until September 16<sup>th</sup> on delinquent dues and that a letter regarding same has been sent to the residences.

Stephen Vrska who resides at 532 Partridge Drive, Aubrey (Paloma Creek), Texas 76227 is representing The Church of Jesus Christ of Latter-day Saints, who is sponsoring a Family Values 5K Fun Run/Walk for the community to celebrate family and familial relationships and wants to be placed on the future agenda for approval of street closure.

There were no requests to address the Town Council. Alderman McCullough moved to close open forum; Alderman Garcia seconded. Motion carried: 4 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 – Alderman Law reported that updates have been made to the website, including a new map and municipal court information.

HOA Committee – Nothing to report.

Water District Committee – Alderman Garcia provided a written report and provided a summary of same, including approval of the Family Values Fun Run. Mayor Roberson inquired about path previously approved by the WCID for the Family Values Fun Run.

Ordinance Committee – Alderman Law reported that the ordinance committee was currently working on a parking ordinance to address parking on grassy areas. Other ordinances were being finalized and would be present at future Council Meetings.

Finance Committee – Alderman Garcia reported that a budget workshop may need to be scheduled.

Law Enforcement Committee – Nothing to report.

### **b. Staff Reports**

Connie Hansen, Town Secretary, provided a written report and summarized the information by reporting that the Town Hall facility was totally operational and that various vendors and service suppliers were being forwarded copies of the Town's Sales and Use Tax Exemption Certification for adjustment to current and future invoicing from same. Ms. Hansen also reported on the status of the Municipal Court and stated that the Municipal Court voicemail introduction message has been updated to include reference to the Town website for information regarding handling of citations. Ms. Hansen also reported that a collaboration between AT&T staff, Denco 911 staff and the Town were still underway to finalize updates of all addresses within the Town limits into the

necessary databases for current and future accounting of all AT&T access lines and ultimately collection of franchise fees for same.

Alderman Garcia 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: 8/08/11
- b. Treasury Report
- c. Pay Bills
- d. Approve Purchase Orders

Alderman Garcia motioned to approve the Consent Agenda; Alderman Law seconded. Motion carried: 4 in favor, 0 against.

**VII. ACTION ITEMS**

- a. Consider, discuss and act upon City of Aubrey Library request for designation and funding.

Kathy Gilson made a presentation to the Town Council regarding the Aubrey Library and its requests for designation and funding from the Town. Ms. Gilson explained the formula for funding from the County Commissioners. Alderman Garcia asked if there was a difference between funding and designation. Mayor Roberson also inquired as to the impact the designation would have on the Aubrey Library and the minimum amount of funding would be required to effectual the Town's official designation and the deadline for the Town to respond. Ms. Gilson stated that the Library must have their forecast in to the County Commissioner's by March 2012.

- b. Second public hearing on Ordinance Establishing Municipal Court Security Fund.

Alderman Law motioned to close the Town Council regular session meeting and open a public hearing forum; Alderman Garcia seconded. Motion carried: 4 in favor, 0 against.

Mayor Roberson opened Public Hearing at 7:30 p.m. Philip Mack Furlow read aloud the Ordinance Establishing Municipal Court Security Fund. Mayor Roberson opened the floor to anyone wishing to speak for or against the ordinance. No one requested to speak for or against the ordinance. Alderman Law motioned to close the Public Hearing and reconvene Town Council regular

session meeting; Alderman Garcia seconded. Motion carried: 4 in favor, 0 against.

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

- c. Consider, discuss and act upon Ordinance Establishing Municipal Court Security Fund.

Alderman Garcia motioned to approve the Ordinance Establishing Municipal Court Security Fund; Alderman McCullough seconded. Motion carried: 4 in favor, 0 against.

- d. Second public hearing on Ordinance Establishing Municipal Court Technology Fund.

Alderman Army motioned to close the Town Council regular session meeting and open a public hearing forum; Alderman McCullough seconded. Motion carried: 4 in favor, 0 against.

Mayor Roberson opened Public Hearing at 7:34 p.m. Philip Mack Furlow read aloud the Ordinance Establishing Municipal Court Technology Fund. Mayor Roberson opened the floor to anyone wishing to speak for or against the ordinance. No one requested to speak for or against the ordinance. Alderman Garcia motioned to close the 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 meeting at 7:37 p.m.

- e. Consider, discuss and act upon Ordinance Establishing Municipal Court Technology Fund.

Alderman Garcia motioned to approve the Ordinance Establishing Municipal Court Technology Fund; Alderman Army seconded. Motion carried: 4 in favor, 0 against.

- f. Consider, discuss and act upon an ordinance ordering a special election to be held on November 8, 2011 for the purpose of considering a proposition authorizing a 1% general sales and use tax and a proposition authorizing a ½% property tax relief sales tax, and the repeal of Ordinance No. 2011-16.

Mayor Roberson explained that the previous ordinance approval regarding the special election only included the 1% general sales and use tax and that subsequently it had been confirmed that the Town was entitled to include an additional ½% sales and use tax proposition for property tax relief. In order to

include both propositions in the special election, it would be necessary to repeal the original ordinance and approve the current ordinance.

Alderman Garcia motioned to approve the ordinance ordering a special election to be held on November 8, 2011 for the purpose of consideration propositions authorizing sales and use taxes; Alderman McCullough seconded. Motion carried: 4 in favor, 0 against.

- g. Consider, discuss and act upon approval of a Joint Election Agreement and Contract for Election Services with Denton County Elections Administrators.

Alderman Garcia motioned to approve the Joint Election Agreement; Alderman Army seconded. Motion carried: 4 in favor, 0 against.

- h. Consider, discuss and act upon approval of proposed engagement letter for budgeting services with the Office of Kathi Dye, CPA, P.C.

There was a brief discussion regarding proposed corrections to the engagement letter with Kathi Dye, CPA relating to budgeting services being offered by Lisa Bloomfield.

Alderman Garcia motioned that the engagement letter with Kathi Dye, CPA be approved pending revision to the second sentence; Alderman Army seconded. Alderman Law made a friendly motioned to modify the motion to clarify that the revision was to the third sentence, second paragraph of the engagement letter; Alderman Garcia seconded. Motion carried: 4 in favor, 0 against.

- i. Consider and discuss nuisance ordinance.

Alderman Law stated that the proposed nuisance ordinance was provided by Mike Carroll. There was discussion about comparison of the proposed ordinance to the HOA's CCRs.

- j. Consider and discuss ordinance requiring golf cart registration.

Discussion regarding the proposed golf cart registration ordinance including a proposed quote for 125 decals and the related costs associated with same.

- k. Consider, discuss and act upon installation of ADA accessible ramp for Town building.

Alderman Garcia motioned to authorize the Mayor to enter into a contract for the installation of an ADA ramp at the Town Hall not to exceed a cost of \$3,205.05; Alderman McCullough seconded. Motion carried: 4 in favor, 0 against.

1. 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 action item would be discussed in executive session with no expected action to follow.

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

The following future agenda items were identified:

1. Consider, discuss and act upon Golf Cart Registration ordinance.
2. Consider, discuss and act upon a Parking ordinance.
3. Consider, discuss and act upon resolution authorizing opening of additional bank accounts.

Alderman McCullough motioned to close Town Council regular session and convene into Executive Session; Alderman Garcia seconded. Motion carried: 4 in favor, 0 against.

Mayor Roberson closed Town Council regular session at 8:21 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; Alderman Law 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 8:48 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 McCullough motioned to adjourn the Town Council meeting; Alderman Law seconded. Motion carried, 4 in favor, 0 against.

Meeting was adjourned at 8:49 p.m.



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

9-12-11

Date Minutes Approved



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Connie Hansen  
Town Secretary

9-12-11

Date Minutes Approved

