

NOTICE OF
TOWN COUNCIL WORKSESSION, PUBLIC HEARING & REGULAR MEETING
TOWN OF PROVIDENCE VILLAGE, TEXAS
PROVIDENCE VILLAGE TOWN HALL
1745 F.M. 2931
MONDAY, OCTOBER 10, 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, Mayor Pro-Tem 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

Justin Powell 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: 5 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 – Alderman McCullough stated that there was nothing new since Don Fisher’s report at the last meeting.

Water District Committee – Alderman Garcia provided a report regarding the Denton County Commissioner’s court activities and suggestions regarding ordinances relating to solar panels.

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

Finance Committee – Nothing to report.

Law Enforcement Committee – Alderman Garcia reported that items will be covered later in agenda.

- b. Staff Reports

No reports from the Town Secretary or the Town Attorney.

Alderman Garcia motioned to close the committee and staff reports; Mayor Pro-Thompson seconded. Motion carried: 5 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: 9/26/11 Regular Session
- b. Treasury Report
- c. Pay Bills
- d. Approve Purchase Orders

Alderman Garcia motioned to approve the Consent Agenda; Mayor Pro-Tem Thompson seconded. Motion carried: 5 in favor, 0 against.

VII. ACTION ITEMS

Mayor announced that in order accommodate law enforcement personnel’s schedule, action item (m) would be moved.

- m. Consider discuss and act upon purchase of laser speed gun (lidar), tint meter and decibel meter for law enforcement purposes.

Deputy Barnes addressed questions relating to the decibel meter and stated that with the current noise ordinance, a decibel meter is not necessary. The officer believes that the ordinance, as written, makes any complaint received by a person and/or neighbor is a noise complaint.

Alderman Garcia moved to approve the purchase of two tint meters for a total cost of \$150.97 and a Lidar radar gun for \$3,548.00; Alderman Army seconded. Motion carried: 5 in favor, 0 against.

- a. Consider, discuss and act upon final approval of Nuisance Ordinance.

Alderman McCullough questioned the nuisance abatement issue, specifically the issue relating to an officer walking into a home. Mike Carroll reassured the Town Council that any peace officer would request the homeowner's permission before entering a home, or would obtain the necessary warrant from the local Judge if permission is not granted.

Alderman Law motioned to close the Town Council regular session meeting and open a public hearing forum; Mayor Pro-Tem Thompson seconded. Motion carried: 5 in favor, 0 against.

- b. Public hearing on Nuisance Ordinance.

Mayor Roberson opened Public Hearing at 7:14 p.m. Brandy Manning read aloud a summarized version of the Nuisance 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, Alderman Garcia motioned to close the Public Hearing and reconvene Town Council regular session meeting; Mayor Pro-Tem Thompson seconded. Motion carried: 5 in favor, 0 against.

Mayor Roberson reconvened Town Council regular session meeting at 7:15 p.m.

Alderman Garcia motioned to approve the Nuisance Ordinance; Mayor Pro-Tem Thompson seconded. Motion carried: 5 in favor, 0 against.

- c. Consider, discuss and act upon final approval of Ordinance for Regulation of Golf Carts.

Alderman McCullough motioned to close the Town Council regular session meeting and open a public hearing forum; Mayor Pro-Tem Thompson seconded. Motion carried: 5 in favor, 0 against.

- d. Public hearing on Ordinance for Regulation of Golf Carts.

Mayor Roberson opened Public Hearing at 7:16 p.m. Brandy Manning read aloud a summarized version of the Regulation of Golf Carts 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, Alderman Garcia motioned to close the Public Hearing and reconvene Town Council regular session meeting; Alderman McCullough seconded. Motion carried: 5 in favor, 0 against.

Mayor Roberson reconvened Town Council regular session meeting at 7:17 p.m.

Alderman Garcia motioned to approve the Regulation of Golf Carts Ordinance; Alderman McCullough seconded. Motion carried: 5 in favor, 0 against.

- e. Consider, discuss and act upon final approval of Parking Ordinance.

Alderman Law motioned to close the Town Council regular session meeting and open a public hearing forum; Alderman McCullough seconded. Motion carried: 5 in favor, 0 against.

- f. Public hearing on Parking Ordinance.

Mayor Roberson opened Public Hearing at 7:17 p.m. Brandy Manning read aloud a summarized version of the Parking 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, Alderman Army motioned to close the Public Hearing and reconvene Town Council regular session meeting; Alderman Garcia seconded. Motion carried: 5 in favor, 0 against.

Mayor Roberson reconvened Town Council regular session meeting at 7:18 p.m.

Alderman Garcia motioned to approve the Parking Ordinance; Alderman Law seconded. Motion carried: 5 in favor, 0 against.

- g. Consider, discuss and act upon final approval of Fee Schedule Ordinance.

Alderman McCullough motioned to close the Town Council regular session meeting and open a public hearing forum; Mayor Pro-Tem Thompson seconded. Motion carried: 5 in favor, 0 against.

- h. Public hearing on Fee Schedule Ordinance.

Mayor Roberson opened Public Hearing at 7:20 p.m. Brandy Manning read aloud a summarized version of the Fee Schedule 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, Alderman Garcia motioned to close the Public Hearing and reconvene Town Council regular session meeting; Mayor Pro-Tem Thompson seconded. Motion carried: 5 in favor, 0 against.

Mayor Roberson reconvened Town Council regular session meeting at 7:21 p.m.

Alderman McCullough motioned to approve the Fee Schedule Ordinance; Alderman Garcia seconded. Motion carried: 5 in favor, 0 against.

- i. Consider, discuss and act upon final approval of Peddler Ordinance.

Alderman Garcia motioned to close the Town Council regular session meeting and open a public hearing forum; Mayor Pro-Tem Thompson seconded. Motion carried: 5 in favor, 0 against.

- j. Public hearing on Peddler Ordinance.

Mayor Roberson opened Public Hearing at 7:22 p.m. Brandy Manning read aloud a summarized version of the Peddler 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, Alderman Law motioned to close the Public Hearing and reconvene Town Council regular session meeting; Mayor Pro-Tem Thompson seconded. Motion carried: 5 in favor, 0 against.

Mayor Roberson reconvened Town Council regular session meeting at 7:23 p.m.

Mayor Pro-Tem Thompson motioned to approve the Peddler Ordinance; Alderman McCullough seconded. Motion carried: 5 in favor, 0 against.

- k. Consider and act upon the appointment of a Mayor Pro-Tempore.

Mayor Roberson announced that this action item would be addressed following Executive Session.

- l. Consider, discuss and act upon Engineer's Report.

Item tabled.

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

Brief discussion regarding need for artwork and further design of business cards. Alderman Army and Town Secretary are to work together to develop a final design for presentation to the Town Council for approval. No further action taken at this time.

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

Mayor Roberson stated that he had received one quote for a Town Hall sign and stated that there was a need for additional research and solicitation of proposed quotes for a Town Hall sign. No further action taken at this time.

- p. Consider, discuss and act upon approval of purchase of copier for Town Hall and Municipal Court.

Alderman Law moved to approve the purchase of a copier at a cost not exceed \$600 and to be paid from the Municipal Court account; Alderman McCullough seconded. Motion carried: 5 in favor, 0 against.

- q. Consider, discuss and act upon appointment of building inspector.

Rodney Patterson introduced himself and provided a brief overview of his work history, including his current full time position with the City of Denton. Mr. Patterson has been a building inspection for the last 13 years. His appointment with the Town would include performing all building inspections and permits. After inquiry from the Town Council as to the contract cost for Mr. Patterson's services, Alderman Law stated that all costs associated with the building inspection and permit applications are included in the Fee Schedule Ordinance and are intended to cover the costs associated with Mr. Patterson's services.

Alderman Garcia moved to approve the appointment of Rodney Patterson as the Town Building Inspector; Mayor Pro-Tem Thompson seconded. Motion carried: 5 in favor, 0 against.

- r. Consider and discuss building permit ordinance.

Alderman Law reported that the committee was still working on the building permit ordinance. No further action was taken at this time.

- s. Consider and discuss vicious animal issues and ordinance relating to animal registration.

There was discussion regarding complaints recently received and need for possible animal registration. Ordinance Committee will continue to work on the issue. No further action taken.

- t. 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.

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

Proposed ordinance addressing solar panels and safety issues relating to same.

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

Final public hearing on budget.

Alderman McCullough motioned to close Town Council regular session meeting and convene into Executive Session; Alderman Garcia seconded. Motion carried: 5 in favor, 0 against.

Mayor Roberson closed Town Council regular session at 7:39 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 Thompson seconded. Motion carried: 5 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 8:05 p.m. with no action required.

X. ACTION ITEMS (Continued)

- k. Consider and act upon the appointment of a Mayor Pro-Tempore.

Mayor Pro-Tem Thompson tendered his resignation as mayor pro-tempore stating that his current employment is not allowing him to be as actively involved as he believes the position warrants.

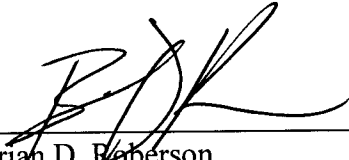
Alderman Garcia motioned to accept Alderman Thompson's resignation; Alderman Law seconded. Motion carried: 5 in favor, 0 against.

Alderman McCullough motioned that Alderman Law be appointed as Mayor Pro-Tempore; Alderman Garcia seconded. Motion carried: 5 in favor, 0 against.

XI. ADJOURNMENT

Alderman McCullough motioned to adjourn the Town Council meeting; Alderman Army seconded. Motion carried, 5 in favor, 0 against.

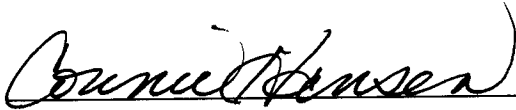
Meeting was adjourned at 8:08 p.m.



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

10/24/11

Date Minutes Approved



Connie Hansen
Town Secretary

10/24/11

Date Minutes Approved

