

NOTICE OF  
TOWN COUNCIL WORKSESSION, PUBLIC HEARING & REGULAR MEETING  
TOWN OF PROVIDENCE VILLAGE, TEXAS  
PROVIDENCE VILLAGE TOWN HALL  
1745 F.M. 2931  
**MONDAY, NOVEMBER 14, 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, Mayor Pro-Tem Earnest Law, and Alderman Mark McCullough. Alderman Mike 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**

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 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 – Mayor Pro-Tem Law reported that the website had been updated.

HOA Committee – Nothing to report.

Water District Committee – Alderman Garcia reported that there is an address available for residents to forward their letters to TxDOT regarding the need for turn lanes on Hwy 380.

Ordinance Committee – Alderman Law and Mike Carroll provided report on ordinance violations and outstanding issues.

Finance Committee – Nothing to report.

Law Enforcement Committee – Deputy Lively provided presentation regarding hand-held ticket writer, including pros and cons and costs. Mayor Roberson asked if all patrol units were getting the ticket writer printers, and there was a brief discussion regarding how the process of ticket writing would be different than the current manual citation method.

- b. Staff Reports

Town Secretary provided written report.

Code Enforcer provided report and discussion regarding HOA letters purportedly distributed to residents.

Town Attorney reported that recent legislative changes now requires that the Town submit to the Secretary of State before year end a letter outlining all of the ways that the Town can exercise eminent domain, including outlined details relating to the different process. TML currently has already submitted a blanket letter, but the Town will also need to submit a letter which the Town Attorney will prepare. Town Attorney also reported that by year end, the Town Council will need to take the necessary steps to approve an ordinance regarding preservation of taxation on personal property in transit.

Alderman Garcia motioned to close the committee and staff reports; Alderman McCullough 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: 10/24/11 Regular Session
- b. Treasury Report
- c. Pay Bills
- d. Approve Purchase Orders

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

## **VII. ACTION ITEMS**

- a. Consider, discuss and act upon resolution declaring the results of the November 8, 2011 election.

Mayor Roberson reported the Special Election results. Alderman Garcia motioned to accept the resolution declaring the special election results and instructing the Town Secretary to forward a certified copy of the resolution to the State Comptroller's Officer; Mayor Pro-Tem Law seconded. Motion carried: 4 in favor, 0 against.

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

Mayor Pro-Tem Law gave a brief overview regarding the exemption of plumbers from having to pay registration fees. Plumbers are required to register, but are not required to pay any registration fees.

Mayor Pro-Tem 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.

- c. Public hearing on Contractor Registration Ordinance.

Mayor Roberson opened Public Hearing at 7:26 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 stated that he would like to see all fees dropped based on the belief that contractor's will just pass the fees directly onto the consumer and some of the older residents on fixed incomes will be able to pay the additional costs. Mr. Jordon also stated that the Town budget is already balanced and therefore no additional income should be added. There was additional discussion regarding the exclusion of fees. 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; Mayor Pro-Tem Law seconded. Motion carried: 4 in favor, 0 against.

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

Mayor Pro-Tem Law motioned to approve the Contractor Registration Ordinance; Alderman Garcia seconded. Motion carried: 4 in favor, 0 against.

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

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

- e. Public hearing on Building Permit Ordinance.

Mayor Roberson opened Public Hearing at 7:34 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: 4 in favor, 0 against.

Mayor Roberson reconvened Town Council regular session meeting at 7:36 p.m.

There was discussion regarding effective date of the ordinance. Mayor Pro-Tem Law motioned to approve the Building Permit Ordinance, with an effective date of December 1, 2011; Alderman Garcia seconded. Motion carried: 4 in favor, 0 against.

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

Alderman McCullough 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.

- g. Public hearing on Special Event Ordinance.

Mayor Roberson opened Public Hearing at 7:37 p.m. Philip Mack Furlow read aloud a summary of the Special Event 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 McCullough 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 7:38 p.m.

There was discussion regarding effective date of the ordinance. Alderman McCullough motioned to approve the Special Event Ordinance; Alderman Garcia seconded. Motion carried: 4 in favor, 0 against.

- h. Consider, discuss and act upon resolution designating holiday schedule for Town Hall.

Following a brief discussion regarding the need for a holiday schedule outlining when the Town Hall will be closed, Alderman McCullough motioned to approve the resolution designating that the Town Hall will be closed for holidays in accordance with the Denton County offices; Mayor Pro-Tem Law seconded. Motion carried: 4 in favor, 0 against.

- i. 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.

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

Amendment to 2011-12 FY Budget.

Amendment to Fee Schedule.

Ordinance relating to personal tax on in-transit goods.

Ordinances relating to landmarks.

Mayor Pro-Tem Law motioned to close Town Council regular session meeting and convene into Executive Session; Alderman McCullough seconded. Motion carried: 4 in favor, 0 against.

Mayor Roberson closed Town Council regular session at 7:44 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 Army excused himself from the Executive Session.

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 8:29 p.m. with no action required.

**XI. ADJOURNMENT**

Alderman McCullough motioned to adjourn the Town Council meeting; Alderman Garcia seconded. Motion carried, 3 in favor, 0 against.

Meeting was adjourned at 8:30 p.m.

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

11/28/11  
Date Minutes Approved

  
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Connie Hansen  
Town Secretary

11/28/11  
Date Minutes Approved

