

AUBREY, TEXAS

City Council Meeting

Aubrey City Hall
107 S. Main St
Aubrey, TX 76227
January 26, 2023
6:00 PM



**(Notice of Potential Quorum for Planning & Zoning Commission, Board of Adjustment, Library Board, Municipal Development District, Parks & Recreation Board, and Home Rule Charter Commission - even though a quorum of the member of these boards may or may not be present, no official action will be taken by their members.)*

Notice Regarding Public Participation

Individuals may attend the Aubrey City Council meeting in person at the above address, or access the meeting via videoconference, or telephone conference call.

Join the Zoom Meeting by clicking on the following link:

<https://us06web.zoom.us/j/82011293859?pwd=N0NCUnA0c0hIbDhIUWt6YXY3S0phUT09>

Meeting ID: 820 1129 3859, Password: 01262023

To request to speak via videoconference, click on “Participants” at the bottom of the screen, and click “Raise Hand.” The meeting moderator will acknowledge your request and allow you to speak. If in person, a request to speak shall be indicated by a raised hand. The meeting moderator will acknowledge your request and allow you to speak. When addressing the Council, please state your name and address before beginning your comments. Please limit your comments to three minutes.

To join the meeting by phone, dial 1 (346) 248-7799 and use the Meeting ID and password above.

Call to Order - Determine if a Quorum is Present:

Mayor - Chris Rich

Council Place 1 - Jeff Perry (Mayor Pro Tem)

Council Place 2 - Matt Jones (Deputy Mayor Pro Tem)

Council Place 3 - Erin Allen

Council Place 4 - Dewayne Brawner

Council Place 5 - Chuck Fikes

Invocation & Pledge of Allegiance: *Pledge of Allegiance to the Texas Flag - "Honor the Texas flag; I pledge allegiance to thee, Texas, one state, under God, one, and indivisible."*

Community Announcements: Items of community interest may include recognizing Citizens and Staff for outstanding contributions to the community, a reminder about an upcoming event that is organized or sponsored by the governing body, and announcements of an imminent threat to public safety that has arisen after the posting of this agenda.

Employee Promotions and Swearing-In

Citizen Input: Any person may address the City Council. If your concern is an agenda item on this agenda, you may wait until the discussion on that item if you wish. Please state your name and address, and you will have three minutes to speak. No discussion or action may be taken at this meeting on any item not listed on the agenda, other than to make statements of factual information or recite existing policy in response to a citizen's inquiry.

Consent Items: Items placed on the Consent Agenda are considered routine in nature and non-controversial. The Consent Agenda can be acted upon in one motion. Items may be removed from the Consent Agenda by the request of Council Members or staff. Consideration and action on the following:

1. Minutes of the following City Council Meeting(s):
 - a. December 20, 2022 ([Document](#))
 - b. January 21, 2023 ([Document](#))
2. Staff reports ([Document](#))
3. Monthly Financial Report ([Document](#))
4. Quarterly Investment Report ([Document](#))
5. Approve Ordinance Number 771-23 ordering the May 6, 2023 City of Aubrey General Election for the purpose of electing a Mayor for a 2 year term, a Council member to Place 3 for a 2 year term, and a Council member to Place 4 for a 3 year term. ([Document](#))
6. Extending the RV permit for 304 N Main St. ([Document](#))
7. A Resolution amending the Human Resources Policy to be in alignment with the conversion to Home Rule. ([Document](#))
8. Demolition of the residential structure located at 305 S Main St in Veterans Park.

New Business: New items previously requested by Council Members, City Staff, or Citizens for consideration by the City Council.

9. Consideration and action on recommendations from the Planning and Zoning Commission for the following:
Cate Ball
 - a. A Minor Plat of Lot 1 Block A Stett Ridge Subdivision, 8.663 acres out of the C. B. Emmons Survey, Abstract No. 403, Denton County, Texas located along Rock Hill Road, west of the railroad tracks and north of the intersection with Shade Oak Dr. in the Aubrey Extraterritorial Jurisdiction. ([Document](#))
 - b. A Minor Plat of Lot 1 Block A Aubrey Ranch Addition, 23.243 acres in the F. Trevino Survey, Abstract No. 1243, Denton County, Texas located at approximately the southwest intersection of Spring Hill Rd (FM 428) and FM 2931 in the Aubrey Extraterritorial Jurisdiction. ([Document](#))
 - c. Hold a Public Hearing, consideration and action on an Ordinance amending Exhibit A, "Subdivision Ordinance" of Chapter 10, "Subdivision Regulations" of the Code of Ordinances of the City by repealing Section 9, "Minor Plats" of Article 2, "Procedures" and adopting a new Section 9, "Minor Plats" of Article 2. ([Document](#))
Open Public Hearing: _____ p.m. Close Public Hearing: _____ p.m.
 - d. Hold a Public Hearing, Consider and Act on an Ordinance amending the City's Zoning Ordinance to adopt a Government Use definition allowing specified Municipal and State Government facilities as permitted uses within Agricultural, Single Family, Multi-Family, General Retail, Shopping Center, Commercial, Industrial, Mobile Home Park and Planned Development districts. ([Document](#))
Open Public Hearing: _____ Close Public Hearing: _____
10. Presentation of Debt Sale Results regarding the Combination Tax and Revenue Certificates of Obligation, Series 2023. *Jim Sabonis, Hilltop Securities* ([Document](#))

11. Consideration and action on an Ordinance providing for the issuance of City of Aubrey, Texas, Combination Tax And Revenue Certificates Of Obligation, Series 2023 in the approximate aggregate principal amount of \$8,060,000; levying a tax in payment thereof; prescribing the form of said certificates; approving a Bond Purchase Agreement; authorizing the execution and delivery of a Paying Agent/Registrar Agreement; approving the Official Statement; and enacting provisions incident and relating to the subject and purposes of this Ordinance. *Jim Sabonis, Hilltop Securities* ([Document](#))
12. Consideration and action on an Ordinance annexing approximately 2.78 acres, over and across F.M. 2931 (an existing 100-foot right-of-way), legally described as being in the J. Bridges Survey, Abstract No. 36, Denton County, Texas, and the W. Lumpkin Survey, Abstract No 730, Denton County, Texas. *Charles Kreidler* ([Document](#))
13. Consideration and action on an Ordinance amending various provisions of Chapter 13, "Utilities" of the Aubrey Code of Ordinances amending provisions governing late fees, delinquent accounts, adjustments for leaks, water meters, designation of authorized City personnel and related matters; and providing an effective date. *Leanne Wilson* ([Document](#))
14. Consideration and action on appointing a City Council member as liaison for the Aubrey Area Library Advisory Board.
15. Receive presentation from Fire Department, discussion by Council and take any necessary action on Department projects or personnel needs. *Eric Schlotter*

Advisory Board Reports: If an advisory board wishes to provide any updates, the name of the board and description of the report will be provided below. Receive a report and discuss the following:

16. Planning & Zoning Commission: Consideration and action on removing and/or appointing member(s) to the Planning and Zoning Commission. ([Document](#))

Department Updates and Council Discussion:

Administration:

- Upcoming Developments, including new development inquiries, applications, and impact to City
- City Administration – department and project updates
- City Hall Renovations
- Traffic Signal Update

Library:

- Status of Building Repairs

Fire Department:

- Aubrey Fire Department EMS

Public Works:

- Public Facilities

Human Resources:

- Staffing Update

Future Agenda Requests: Council Members, City Staff, and Citizens may request items to be included on future agendas. Discussion is limited to what the request is for, and if and when the item can be put on a future agenda.

*****EXECUTIVE SESSION*****

In accordance with Texas Government Code, Section 551.001, et seq., the City Council will recess into Executive Session (closed meeting) to discuss the following:

- a) **Section 551.071(1) and (2) Consultation with Attorney.** For Council to seek the advice of its attorney about pending or contemplated litigation or a settlement offer and to consult with the City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act:
 - High Pointe Development
 - Aubrey Area Ambulance
 - Police and Fire Services for The Lakes/Silverado and Sandbrock

- Solid Waste Agreement
- Municipal Development District Interlocal Agreement
- Wilson Lift Station
- Golf Cart Ordinance
- FSLA Requirements for Police and Fire
- Purchase Agreement with Siddons Martin

b) **Section 551.071 (2) and 551.074 Personnel Matters.** Consultation with the City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act and Deliberation regarding the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of public officer or employee or to hear a complaint or charge against an officer or employee:

- City Manager (Goal Setting)
- City Secretary

Motion to adjourn into Executive Session. Time: _____

Reconvene into Open Session: Time: _____ In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to consider and take appropriate action, if any, regarding any items discussed in Executive Session.

-ADJOURN-

I, Jenny Huckabee, City Secretary, certify that this Notice of Meeting was posted, per the Open Meetings Act, on the official bulletin board at the City Hall of the City of Aubrey, Texas and on the City’s website at www.aubreytx.gov in accordance with Chapter 551, Texas Government Code, and shall remain posted until the meeting is adjourned.

I certify that the attached notice and agenda of items to be considered by the City Council of the City of Aubrey, Texas was removed by me from the official bulletin board of the City of Aubrey, Texas, 107 South Main St, Aubrey, Texas on the _____ day of _____, 2023.

(The City Council reserves the right to adjourn into closed session at any time during the course of this meeting to consult with its attorney regarding any of the matters listed on this document, as authorized by Texas Government Code Section 551.071 Consultation with Attorney.)

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary’s office at (940) 440-9343 for further information.

*Pursuant to Section 551.127, Texas Government Code, one or more Councilmembers or employees may attend this meeting remotely using videoconferencing technology. A quorum of the City Council will be physically present at the location provided above. The video and audio feed of the videoconferencing equipment can be viewed and heard by the public by accessing Zoom as provided above.