

AUBREY, TEXAS

City Council Meeting
Aubrey City Hall
107 S. Main St
Aubrey, TX 76227
February 23, 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/86986923226?pwd=TFMxdXhvZExNTUMvOE9ZN2hWYjd0UT09>

Meeting ID: 869 8692 3226 Password: 02232023

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. January 26, 2023 ([Document](#))
2. Staff reports ([Document](#))
3. Monthly Financial Report ([Document](#))
4. Approval to dispose of electronics from the Library. ([Document](#))
5. Approval of easement acquisitions for the Capital Improvement Project for Keeneland and High Point sewer lines. ([Document](#))
6. Approval of a Resolution authorizing a Cooperative Purchasing Agreement with the City of Sanger. *Leanne Wilson* ([Document](#))
7. Approve the transfer of a Police Vehicle (VIN 1FM5K8AR7HGD14092) to the Town of Providence Village. ([Document](#))
8. Approve acceptance of the 2022 Police Department Racial Profiling Report. ([Document](#))
9. Approve a Resolution amending Human Resources Policy and Procedure Manual related to Holiday, Fire, and Police Department pay. ([Document](#))
10. Approve the conveyance of approximately 0.023 acres of land currently designated as right of way and located at Highway 377 and Redfearn Road to TxDOT for use as right of way and authorize the Mayor to execute appropriate documents to complete the conveyance. ([Document](#))

Old Business: These are unresolved items carried over from previous meetings.

11. Consideration and action on a request for an extension of the expiration date of the Preliminary Plat for the High Country development. *Leanne Wilson*

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

12. Consideration and action on a Resolution regarding compassionate care marijuana growth facilities. *Mayor Rich* ([Document](#))
13. Receive a presentation and take any necessary action on the purchase of four generators for City Hall, and the Police and Fire Departments. *Chief Eric Schlotter*
14. Consideration and action on a Resolution adopting the Procurement Policies and Procedures for the City. *Mike English* ([Document](#))
15. Consideration and action on a Resolution adopting a City Manager Signature Authority Policy in accordance with the Charter and City Procurement Policies and Procedures. *Patricia Adams* ([Document](#))
16. Consideration and action on a Professional Services Agreement with RPGA for an expanded scope to design a Public Safety building. *Charles Kreidler* ([Document](#))
17. Consideration and action on an Ordinance adopting a prohibition of the use of Engine Brakes in the City limits of Aubrey. *Chief Richard Brooks* ([Document](#))

18. Receive presentation from the Police Department, discussion by Council and take any necessary action on Department projects or personnel needs. *Chief Richard Brooks*

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:

19. Aubrey Area Library Advisory Board: Consideration and action on removing and/or appointing member(s) to the Aubrey Area Library Advisory Board. ([Shawn Krencik Application](#))
20. Aubrey Municipal Development District Board: Consideration and action on removing and/or appointing member(s) to the Aubrey Municipal Development District Board. ([Chad Larsen Resignation](#))

Department Updates and Council Discussion:

Administration:

- City Hall Renovations
- Joint Meeting with Aubrey ISD (March 29th)

Library:

- Program Update

Fire Department:

- Aubrey Fire Department EMS
- Update on approved purchases

Police Department:

- None

Public Works:

- Public Facilities
- Faulkner Well
- Wilson Lift Station
- Park Projects

Human Resources:

- None

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
 - High Country Preliminary Plat
 - Solid Waste Agreement
 - Municipal Development District Interlocal Agreement
 - Wilson Lift Station
 - Park Dedication Fees
 - Home Rule Charter Authority
 - Claims management and liability
 - Blue Diamond Development Agreement and commercial development
 - RV Permit at 304 N Main Street
- 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 Secretary (Duties and Goals)

- c) **Section 551.072 Real Property.** deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

- Land acquisition of property located in downtown Aubrey

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.