

AUBREY, TEXAS

City Council Meeting Minutes

Aubrey City Hall
107 S. Main St
Aubrey, TX 76227
April 27, 2023
6:00 PM



The meeting was called to order at 6:00 p.m.

Present: Mayor - Chris Rich
Council Place 1 - Jeff Perry
Council Place 3 - Erin Allen
Council Place 4 - Dewayne Brawner
Council Place 5 - Chuck Fikes

Absent: Council Place 2 - Matt Jones

Staff Present: City Attorney Patricia Adams, City Manager Charles Kreidler, City Secretary Jenny Huckabee, Admin Assistant Christy Sayer, Finance Director Mike English, Director of Public Works and Development Services Leanne Wilson, Fire Chief Eric Schlotter, Police Chief Richard Brooks, Lieutenant Jeremy Johnson, Human Resources Manager AJ Rodriguez, Library Manager Brittany McLain, Parks Coordinator Kurt Karnowski

Invocation & Pledge of Allegiance: Ronnie Allen, FBC Krugerville

Community Announcements:

- Sexual Assault Awareness Month Proclamation
- Mental Health Awareness Month and Children's Mental Health Awareness Day Proclamation *Lori Holland, United Way*
- Employee Introductions and Promotions
 - o Sgt Koiner
 - o Detective Joiner
 - o New recruits Carly Coker and Antonio Chamorro
- Charles Kreidler announced the May 18th TxDOT and Denton County Outer Loop Open House, May 22 TxDOT and Denton County Outer Loop Open House in Denton, and a TxDOT Public Hearing at Navo Middle school on the proposed plans for FM 1385
- Christy Sayer announced the May 20th low cost spay and neuter clinic by Rescue Row, the May 6th Bike MS Sam's Club Round-up Ride, and May 20th Summer Music Series

Citizen Input:

- Mayor Rich recognized an email from Eric and Dawn Platek regarding a complaint about solicitors.

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. March 23, 2023
 - b. March 29, 2023
2. Staff Reports
3. Monthly Financial Report
4. Quarterly Investment Report
5. An Ordinance amending Chapter 5, "Fire Prevention and Protection" of the Code of Ordinances, establishing and reaffirming the Aubrey Fire Department (Ordinance 782-23)
6. An Ordinance repealing and readopting Article 1.11, "Library" of Chapter 1, "General Provisions" of the Code of Ordinances regulating the Aubrey Area Library and Library Advisory Board; and providing an effective date (Ordinance 783-23)
7. A Resolution repealing Resolution 904-22 regarding the Aubrey Area Library Board Bylaws. (Resolution 928-23)
8. A change order to the City's contract with Hydro Resources for the Faulkner Well in the amount of \$246,000 and accept the project.
9. An Interlocal Cooperation Agreement with Denton County for Shared Governance Communications and Dispatch Services System
10. A Resolution authorizing participation in an Office of the Governor CJD eGrant Program for the purchase of bullet resistant shields for the Aubrey Police Department (Resolution 924-23)
11. A Special Event Permit request from Bike MS Sam's Club Round-up Ride for a charity bicycle ride
12. A Special Event Permit request from Rescue Row, Inc. for a low cost spay and neuter clinic.
13. Order the setting of a public hearing for June 22, 2023 at 6:00 p.m. to consider and adopt Land Use Assumptions, Capital Improvement Projects, and Water and Sewer Impact Fee updates.
14. Consideration and action on the purchase of a truck chassis for the fire ancillary vehicle from Boerne Ford in the amount of \$77,235.00.

Council Member Allen removed items 6, 7, and 14. Charles Kreidler pulled items 11 and 12. Council Member Brawner pulled item 8.

Council Member Allen made a motion to approve the consent agenda (including all items). Council Member Brawner seconded. Motion carried unanimously.

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

15. Receive an update and hold discussion on the Denton County Outer Loop project.

Tony Kimmey provided information.

16. Consideration and action on recommendations from the Planning and Zoning Commission for the following:
 - a. Consider and act on a Minor Plat of Lot 2 Block A of the Arnold Addition, 1.747 acres in the F. Trevino Survey, Abstract No. 1243, Denton County, Texas located on the east side of U.S. Highway 377 between E. Highmeadow Dr on the north and Redfearn Rd on the south, within the City of Aubrey.

Council Member Allen made a motion to approve the Minor Plat with the with the recommendations from the planner (below), as well as the engineering comments and the language in the development agreement to coordinate with TxDOT and upon execution of a Development Agreement with the City.

- 1) **per Article 2, Section 1.05b of the Subdivision Ordinance, submission of a tax certificate from the Denton County Tax Assessor Collector showing that all taxes have been paid on the subject property.**
- 2) **per Article 11, Appendix B, Final Plat Checklist, the plat is missing required signatures and seals which need to be on the plat before the Mayor or the Public Works Director signs the plat.**

- 3) **Per Article 3, Section 4.04 and Article 11, Appendix B, Final Plat checklist, the plat is missing the location, dimension, and purpose of all on-site easements (pertaining to fire lane and electric).**
- 4) **Plats that contain fire lane easements need to provide specific language per Article 12 Owner's Certifications.**

Council Member Brawner seconded. Motion carried unanimously.

- b. Consider and act on a Site Plan of Lot 2 Block A of the Arnold Addition, 1.747 acres in the F. Trevino Survey, Abstract No. 1243, Denton County, Texas located on the east side of U.S. Highway 377 between E. Highmeadow Dr on the north and Redfearn Rd on the south, within the City of Aubrey.

After consultation with attorney under section 551.071 of the Texas Government Code, Council Member Allen made a motion to approve the plat subject to the following conditions:

Satisfy Conditions 1 and 2 identified in the Staff report in the packet:

1. **Show access on the adjacent property with construction of improvements by applicant on right of way dedicated by adjacent property owner per the City's Zoning Ordinance, Chapter 14, Section 4, "Features to be Shown on Site Plan."**
2. **Show sidewalks along Redfearn as required by Section 22, Schedule of District Regulations and Section 23, Supplementary District Regulations of the Zoning Ordinance, Chapter 14**

Council Member Fikes seconded. Motion carried unanimously with Council Member Brawner absent.

17. Hold a public hearing regarding the City's CDBG Grant #CDV21-0063 amendment to reduce sewer line quantity, water line activities and beneficiaries.

The Public Hearing opened at 7:19 p.m. and closed at 7:25 p.m.

18. Consideration and action on a Resolution amending the City's TDA CDBG Contract 21-0063 Performance Plan to reduce sewer line quantity, water line activities and beneficiaries. (Grant #CDV21-0063)

Council Member Brawner made a motion to approve the Resolution amending the City's TDA CDBG Contract 21-0063 Performance Plan to reduce sewer line quantity, water line activities and beneficiaries. Council Member Perry seconded. Motion carried unanimously. (Resolution 925-23)

19. Hold public hearing, consider and act on abolishing, continuing, or modifying the curfew ordinance for minors.

The public hearing opened at 7:26 p.m. and closed at 7:28 p.m.

Council Member Perry made a motion to continue the Ordinance as written, Council Member Fikes seconded. Motion carried unanimously.

Council Member Perry made a motion to reconsider the Ordinance. Council Member Allen seconded. Motion carried unanimously.

Council Member Perry made a motion to approve Ordinance 786-23 including all changes. Council Member Fikes seconded. Motion carried unanimously. (Ordinance 786-23)

20. Consideration and action on a Resolution nominating a candidate for the Denco 9-1-1 District Board.

Council Member Brawner made a motion to approve the Resolution nominating Sue Tejml as a candidate for the Denco 9-1-1 District Board. Council Member Perry Seconded. Motion carried unanimously. (Resolution 926-23)

21. Consideration and action on a resolution appointing a member to the Upper Trinity Regional Water District Board of Directors.

Council Member Allen made a motion to approve the resolution appointing Brian Roberson as a member to the Upper Trinity Regional Water District Board of Directors. Council Member Brawner seconded. Motion carried unanimously. (Resolution 927-23)

22. Consideration and action on an Ordinance amending Chapter 12, "Traffic and Vehicles", Article 12.04, "Parking, Stopping and Standing" of the Code of Ordinances to adopt regulations prohibiting parking on Frontier Parkway.

Council Member Allen made a motion to approve an Ordinance prohibiting parking on the north side of Frontier Parkway with the parking signs as shown. Council Member Brawner seconded. Motion carried unanimously. (Ordinance 784-23)

23. Consideration and action on enforcement and possible amendments to the City's solicitation permit.

**Chief Brooks provided information.
Sina Tidwell, 681 Coleman St, spoke.
Jesse Auer, 725 Countryside Dr, spoke.
No action taken.**

24. Consideration and action on an Ordinance amending Ordinance No 760-22 adopting the Fiscal Year 2022-2023 Budget.

Council Member Allen made a motion to approve the Ordinance amending Ordinance No 760-22 adopting the Fiscal Year 2022-2023 Budget. Council Member Perry seconded. Motion carried unanimously. (Ordinance 785-23)

25. Receive a presentation from Director of Public Works and Development, discussion by Council and take any necessary action on Department projects or personnel needs. *Leanne Wilson*

Leanne Wilson provided information. No action taken.

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:

26. Aubrey Planning and Zoning Commission: Consideration and action on removing and/or appointing member(s) to the Aubrey Planning and Zoning Commission.

Council Member Allen made a motion to accept the resignations of Kim Brawner and Dean Butenschoen, thank them for their service, and appoint Donald Smith, Karen Skinner, and Candace Stone as board members and Eric Anders and Chuck Fuller as alternates to the Planning and Zoning Commission. Council Member Perry seconded. Motion carried unanimously.

27. Aubrey Parks and Recreation Board: Consideration and action on removing and/or appointing member(s) to the Aubrey Parks and Recreation Board.

Council Member Allen made a motion to accept the resignation of Randy Jones and appoint Courtney Kelly to the board and Peter Dwyer and Emmanuel Gonzales as alternates to the Aubrey Parks and Recreation Board. Council Member Perry seconded. Motion carried unanimously.

Department Updates and Council Discussion:

Administration & Finance:

- City Hall renovations
- Comparable Cities

Library:

- Annual Report/ Accreditation
- Program Update

Fire Department:

- Aubrey Fire Department EMS

Police Department:

- None

Public Works:

- None

Human Resources:

- Number of employees
- Open positions

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.

- **June 17, 8:00 am City Council Workshop**

*****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:
- Interlocal Agreements with the Denton County Fresh Water Supply Districts
 - Interlocal Agreement with Mustang SUD for the Clear Sky MUD
 - Commercial Development on FM 428 (Sherman Drive)
 - Redfearn Road Development
 - Keeneland PID
 - High Pointe Development
 - Traffic regulations

Council Member Perry made a motion to adjourn into Executive Session at 8:50 p.m. Council Member Allen seconded. Motion carried unanimously.

Council Member Brawner left the meeting at 10:01 p.m.

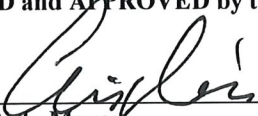
Reconvened into Open Session at 10:44 p.m. In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to consider and take appropriate action, if any, regarding any items discussed in Executive Session.

28. Consideration and action on an Interlocal Agreement with Mustang SUD for wastewater treatment services for the Clear Sky Municipal Utility District.

Council Member Perry made a motion to authorize the City Manager to finalize negotiations and execute documents for the ILA with Mustang SUD for wastewater treatment services for the Clear Sky MUD as discussed in closed session. Council Member Fikes seconded. Motion carried unanimously with Council Member Brawner absent.

The meeting was adjourned at 10:46 p.m.

PASSED and APPROVED by the City Council of the City of Aubrey, Texas this 25th day of May, 2023.



Chris Rich, Mayor

ATTEST:



Jenny Huckabee, City Secretary

