

City Council Meeting Minutes

Aubrey City Council Chambers
226 Countryside Dr.
Aubrey, TX 76227
December 18, 2024
6:00 PM



The meeting was called to order at 6:00 PM.

Present: Jeff Perry, Chuck Fikes, Matt Jones, Randy Jones arrived at 6:59 PM during Executive Session

Absent: Erin Allen

Staff Present: City Attorney Cynthia Kirchoff, City Manager Charles Kreidler, City Secretary Jenny Hicks, Finance Director Mike English, Fire Chief Eric Schlotter, Police Chief Richard Brooks, Executive Director of Operations Leanne Wilson, Library Manager Brittany McLain, HR Director Shaena Williams, Municipal Development Director Christine Gossett, Development Manager Shanda Guffee, Assistant to the City Manager Riley Podleski, Planner Helen-Eve Beadle

Council Member Jeff Perry offered the Invocation and led the Pledge of Allegiance.

Community Announcements:

1. Presentations:

Council Member Jeff Perry thanked the city departments for their assistance with the Toys for Tots program.

The oaths were administered, and a pinning ceremony was held for the following Police Officers:

1. Daniel Salizar, Code Enforcement Officer
2. Jonathan Ross, Police Officer
3. Nick Balch promotion to Lieutenant.

The oaths were administered for the following Firefighters:

1. Lucas Montgomery
2. Trevor Yosten
3. Merrick Harvey

4. Ethan Stump
5. Lundyn Byrd
6. Jordan Craighead
7. Travis Moreno
8. Cameron Key

The oaths were administered and a pinning ceremony was held for the following Fire Department promotions:

1. Kyle Covington to Captain
2. Cody Hedges to Captain
3. Chase Martin to Captain

Mayor Rich read a Proclamation and presented the Aubrey Proud award to Bebo and Kathy Chandler.

Citizen Input: None

Consent Items: Consideration and action on the following:

2. Approve minutes of the November 20, 2024 meeting.
3. Approve Monthly Staff Reports
4. Approve Monthly Financial Report.
5. Approve a Resolution repealing Resolution No 947-23 adopting the City of Aubrey's Official Procurement Policy and Procedures for Fiscal Year 2025.
6. Approve a Resolution repealing Resolution No. 948-23 and adopting the City of Aubrey's Official Investment Policy for Fiscal Year 2025.
7. Approve a five (5) year contract with Flock Safety to install six (6) License Plate Readers (LPR) through the Silverado development and authorizing the City Manager to execute the contract on behalf of the City of Aubrey.
8. Approve the Second Amendment to the Sandbrock Development Agreement and authorize the Mayor or his designee to execute the Agreement.

Council Member Matt Jones made a motion to approve. Council Member Chuck Fikes seconded. Motion Passed (3:0). None opposed.

New Business: New items requested for consideration.

9. Consideration and action on a Preliminary Plat application for Highpointe Ranch Phase 2 containing 219 residential lots and two (2) HOA/nonresidential lots in approximately 38.154 acres of land out of the F. Trevino Survey, Abstract No. 1243, City of Aubrey, Denton County, Texas. (*KLB Buy 3, LLC*)

City Planner Helen-Eve Beadle provided information.

Council Member Jeff Perry made a motion to approve the Preliminary Plat with the following three conditions. Council Member Chuck Fikes seconded. Motion Passed (3:0). None opposed.

Conditions:

1. A 5-foot wall maintenance easement shall be provided for the lots that back or side to Blackjack Road;
 2. Blackjack Road shall be one word; and
 3. The signage in the landscaping plans shall be approved through a Sign Coordination Plan or other ordinance regulated review process.
10. Consideration and action on a Final Plat application for Highpointe Ranch Phase 2 containing 219 residential lots and two (2) HOA/nonresidential lots in approximately 38.154 acres of land out of the F. Trevino Survey, Abstract No. 1243, City of Aubrey, Denton County, Texas. (*KLB Buy 3, LLC*)

City Planner Helen-Eve Beadle provided information.

Council Member Jeff Perry made a motion to approve the Final Plat with the following three conditions. Council Member Chuck Fikes seconded. Motion Passed (3:0). None opposed.

Conditions:

1. A 5-foot wall maintenance easement shall be provided for the lots that back or side to Blackjack Road;
 2. Blackjack Road shall be one word; and
 3. The signage in the landscaping plans shall be approved through a Sign Coordination Plan or other lawful review process.
11. Consideration and action on a Preliminary Plat application for Highpointe Ranch Phase 3 containing 145 residential lots and one (1) HOA/nonresidential lot in approximately 30.900 acres of land out of the F. Trevino Survey, Abstract No. 1243, City of Aubrey, Denton County, Texas. (*KLB Buy 3, LLC*)

City Planner Helen-Eve Beadle provided information.

Council Member Chuck Fikes made a motion to approve the Preliminary Plat. Council Member Jeff Perry seconded. Motion Passed (3:0). None opposed.

12. Consideration and action on a Final Plat application for Highpointe Ranch Phase 3 containing 145 residential lots and one (1) HOA/nonresidential lot in approximately 30.900 acres of land out of the F. Trevino Survey, Abstract No. 1243, City of Aubrey, Denton County, Texas. (*KLB Buy 3, LLC*)

City Planner Helen-Eve Beadle provided information.

Council Member Chuck Fikes made a motion to approve the Final Plat. Council Member Jeff Perry seconded. Motion Passed (3:0). None opposed.

13. Consideration and action on a Resolution submitting the City's ballot selections for members to the Texas Coalition for Affordable Power Board of Directors.

No action taken.

14. Consideration and action on an Ordinance amending the Fiscal Year 2025 Budget.

Finance Director Mike English provided information.

Council Member Jeff Perry made a motion to approve. Council Member Matt Jones seconded. Motion Passed (3:0). None opposed.

15. Consideration and action on an Interlocal Agreement with Denton County for Fire and EMS Services.

After discussion during Executive Session, Council Member Matt Jones made a motion to approve the Interlocal Cooperation Agreement. Council Member Jeff Perry seconded. Motion Passed (4:0 with Council Member Randy Jones Present). None opposed.

16. Discussion regarding library closures.

City Council Member Erin Allen (absent) requested this item. No discussion held.

Department Updates and Discussion:

17. Administration & Finance:
 - City Hall Renovations - New Conference room and offices.
18. Library: None
19. Fire Department:
 - Fire Station Construction Update, Station 3: Masonry almost complete; roof and windows being completed. Station 2: Weather delays; slabs poured and going vertical
20. Police Department:
 - The Police Department is going through the Texas Police Chief's re-accreditation in January; Shop with a cop is December 19th. There will be 77 families served this year.
21. Public Works:
 - The CIP project (Wastewater Treatment Plant) is moving along. The company is mobilizing and plan to break ground after the first of the year; The Rock Hill well bid opening was yesterday and will be awarded at the January meeting; Relocation of infrastructure related to the 377 widening is in the preliminary stages.
22. Human Resources: None
23. Municipal Development: None

Future Agenda Requests: None

*****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:

Motion to Recess into Executive Session.

Council Member Jeff Perry made a motion to recess into Executive Session at 6:41 PM. Council Member Matt Jones seconded. Motion Passed (3:0). None opposed.

24. **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:
- Highpointe Ranch Development
 - Silverado Development Agreement
 - Project 38 / South Magnolia and Blackjack Road Property Acquisition
 - Denton County ILA for Fire Protection and EMS Services
 - Elm Ridge Fire Services Agreement
 - Knuckles Road Development
 - Historic Preservation Ordinance
 - Blackjack West Development
 - Ribbonwood ILAs for Police and Fire
 - ETJ Removal Petition - ARCK Properties
 - Zoning Ordinance: Sign Regulations
25. **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.
- Property acquisition for municipal purposes

Reconvene into Open Session: 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.

City Council reconvened into Open Session at 8:21 PM.

Note: Council Member Randy Jones arrived at 6:59 PM during Executive Session.

26. Consideration and action on an Ordinance adopting Chapter 16, "Historic Preservation" to adopt regulations and establishing a Historic Preservation Commission.

Council Member Jeff Perry made a motion to approve the Ordinance. Council Member Matt Jones seconded. Motion Passed (4:0). None opposed.

27. Consideration and action on appointing members of the Historical Preservation Commission.

Council Member Jeff Perry made a motion to appoint Darlene Wilson, Louise Brumfield, Melba Baxter, Randy Tarlton, and Vinita Tribble to the Commission. Council Member Matt Jones seconded. Motion Passed (4:0). None opposed.

28. Consider and take appropriate action on the SB 2038 petition from Applicant Anil Kumar Ale, on behalf of ARCK Developers, LLC, received on November 12, 2024 for release of two properties from the City's ETJ and identified as an approximate 50.341 ± acres of land, being a portion of property further identified as Denton County Property ID #52224, and an approximate 3.265 ± acres of land, being a portion of property further identified as Denton County Property ID #239615, both properties are located within Industrial District No. 1.

Council Member Chuck Fikes made a motion that ARCK Developers, LLC petition to remove property from the City's extraterritorial jurisdiction be denied for the following reasons:

1. Because Senate Bill 2038, Local Government Code sections 42.104 & 42.105 are an unconstitutional delegation of legislative authority and conflict with Local Government Code section 42.023. The City does not consent to removal of the property from its ETJ; and
2. Subchapter D of Chapter 42 of the Local Government Code does not apply to the property identified in the petition because the property is located within Industrial District No. 1.

Council Member Randy Jones seconded. Motion Passed (4:0). None opposed.

The meeting was adjourned at 8:25 PM.

PASSED and APPROVED by the City Council of the City of Aubrey, Texas this 23rd day of January, 2025.



Chris Rich, Mayor



ATTEST:



Jenny Hicks, City Secretary