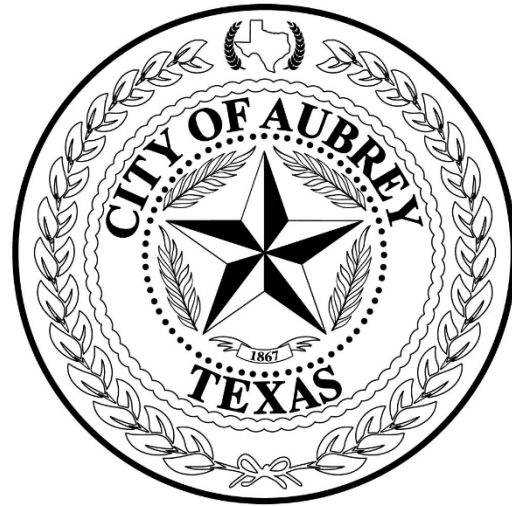


City Council Meeting

Aubrey City Council Chambers
226 Countryside Dr.
Aubrey, TX 76227
May 22, 2025
6:00 PM



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

Notice Regarding Remote Participation of Council Members

Pursuant to Section 551.127, Texas Government Code, one or more Council Members may attend this meeting remotely using videoconferencing technology. A quorum of the board will be physically present at the location provided above.

Call to Order - Determine if a Quorum is Present:

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.

1. Fire Department New Hires and Swearing-in Ceremony

Citizen Input: Any person may address the City Council. If your comments are concerning an agenda item, you may wait until the discussion on that item if you prefer. Once recognized by the Mayor, please step forward to the speaker's podium, state your name and address and speak directly into the microphone so that people in the room can hear comments and see

presentations. Citizen comments are limited to three (3) minutes per individual unless additional time is otherwise required by law. 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.

Election Related Items:

2. Present the Certificate of Election and Administer the Statement of Elected Officials and Official Oaths to the declared candidates elect Mayor, Chris Rich and Council Place 3, Mike Browning.
3. Consideration and action on appointing a Mayor Pro Tem for a One Year Term.
4. Consideration and action on appointing a Deputy Mayor Pro Tem for a One Year Term.
5. Consideration and action on a Resolution designating authorized signatories for the City's banking and financial accounts and approving a wire transfer agreement.
6. Consideration and action on appointing a City Council Liaison to Parks and Recreation Board.

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, board members or staff. Consideration and action on the following:

7. Approve minutes of the April 24, 2025 and May 13, 2025 meetings.
8. Approve Monthly Staff Reports
9. Approve Monthly Financial Report.
10. Accept the resignation of Teresa Sanfilippo from the Board of Adjustment.
11. Accept the resignation of Donald Smith from the Planning and Zoning Commission.
12. Award a bid and enter into a contract with Acadia Services LLC for the construction of Phase II Offsites - W5 Waterline for an amount not to exceed \$2,465,791.00 and authorize the City Manager to execute the necessary documents.
13. Approve Interlocal Cooperation Agreements with Denton County for Ad Valorem Tax Collection for the City of Aubrey and the Public Improvement Districts.
14. Approve a Resolution closing South Main Street on October 4, 2025 for the Annual Peanut Festival.

15. Approve a Resolution closing South Main Street on December 3, 2025 for the annual Holiday Tree Lighting.
16. Approve Resolutions closing South Main Street on June 20, 2025 and July 19, 2025 for the annual Summer Music Series.

New Business: New items requested for consideration.

17. Hold a public hearing, consider and act on an Ordinance approving a Specific Use Permit to allow alcoholic beverage sales for a Wine and Beer Retailer's Off-Premise Permit (BQ) for the property described as approximately 1.865 acres of land in the Francisco Trevino Survey, Abstract No. 1243, City of Aubrey, Denton County, Texas, and located within the boundaries of Planned Development District - Shopping Center District (PD-SC) and approving a variance to the distance requirements for the location of the use. The property is generally located at the northeast corner of US Hwy. 377 and Spring Hill Road/ FM 428 known as Chaparral Center. (Vaquero Ventures/7 Eleven)
18. Consideration and action on a Final Plat for Lots 1-15, Block A, Chaparral Center (Preliminary Plat title: Highpointe Commercial), being approximately 35.174 acres out of the Francisco Trevino Survey, Abstract 1243 generally located north of FM 428 (Spring Hill Road) and east of U.S. Highway 377, City of Aubrey, Denton County, Texas. (Applicant Aubrey Land JV)
19. Consideration and action on a Preliminary Plat application for Highpointe Ranch East Phase 1, for 192 residential lots and three (3) HOA lots, being approximately 35.254 acres out of the Francisco Trevino Survey, Abstract 1243 generally located south of E Blackjack Road, east of U.S. Highway 377, and north of Springhill Road/FM 428, City of Aubrey, Denton County, Texas. (Andiron TX 5, LLC)
20. Consideration and action on a Final Plat for Highpointe Ranch East Phase 1, for 192 residential lots and three (3) HOA lots, being approximately 35.254 acres out of the Francisco Trevino Survey, Abstract 1243 generally located south of E. Blackjack Road, east of U.S. Highway 377, and north of Springhill Road/FM 428, City of Aubrey, Denton County, Texas. (Andiron TX 5, LLC)
21. Consideration and action on a Preliminary Plat for the Palomino for 300 Residential Lots, 1 Lift Station lot, 5 HOA Lots, 1 Public Park Lot, 1 General Retail Lot, 1 City Dedicated General Retail Lot, being approximately 46.974 acres of land situated in the J. Bridges Jr. Survey, Abstract No. 36, within the City of Aubrey, Denton County, Texas. The property is generally located west of FM 2931, north of Frontier Parkway, and east of the future Silverado Parkway. (JEN HOLDCO 24 LLC)
22. Consideration and action on a Final Plat for the Palomino for 300 Residential Lots, 1 Lift Station lot, 5 HOA Lots, 1 Public Park Lot, 1 General Retail Lot, 1 City Dedicated General Retail Lot, being approximately 46.974 acres of land situated in the J. Bridges Jr. Survey, Abstract No. 36, within the City of Aubrey, Denton County, Texas.

The property is generally located west of FM 2931, north of Frontier Parkway, and east of the future Silverado Parkway. (JEN HOLDCO 24 LLC)

23. Consideration and action on a Site Plan for the Shops at High Meadows, Lot 4R1, Block A of the Garland Wilson Addition, located at the southwest corner of the intersection of E. Highmeadow Drive and Betty Lane, in the City of Aubrey, Denton County, Texas. (CLR Realty Group, LLC)
24. Consideration and action on a Replat of Lot 4R1R, Block A of the Garland Wilson Addition, located at the southwest corner of the intersection of E. Highmeadow Drive and Betty Lane, in the City of Aubrey, Denton County, Texas. (CLR Realty Group, LLC)
25. Conduct a Public Hearing, consider, and act on an Ordinance amending Section 6 of Exhibit 14A, "Zoning Ordinance," in Chapter 14, "Zoning" of the Code of Ordinances of the City of Aubrey, Texas to adopt regulations applicable to Tobacco Shops in the Shopping Center (SC) and Commercial (C) Zoning Districts, and to adopt a Conditional Use Permit (CUP) requirement within those Districts, to provide regulations for approval of such use, to provide for Tobacco Shop use within the Industrial District, amending Section 4, "Definitions"; providing a penalty; and providing an effective date.
26. Conduct a Public Hearing, consider and act on an Ordinance for an amendment to Chapter 14, "Zoning Ordinance," Exhibit 14A, "Zoning" of the Code of Ordinances of the City of Aubrey, Texas to amend Section 6, "Conditional Uses and Specific Use Permits," to adopt a Conditional Use Permit process to allow for the sale of specified types of alcoholic beverages in certain zoning districts and to provide a Specific Use Permit for the sale of specified types of alcoholic beverages in certain zoning districts, to establish regulations and fees for such application processes, to provide definitions, to provide an Alcohol and Zoning District Use Chart, and to allow minor editorial changes in Section 6 to provide clarity.
27. Consideration and action on a Resolution granting a petition requesting annexation into the corporate limits of the City of Aubrey by Aubrey Independent School District, owner of approximately 6.25 acres of land, legally described as Tract 156D, Abstract No. 1243 out of the Francisco Trevino Survey, Denton County, Texas, generally located south of Spring Hill Road and East of Aubrey High School, setting a public hearing for the annexation and authorizing the City Secretary to cause notice of the hearing; and authorizing staff to negotiate and enter into a written services agreement with the property owner.
28. Consideration and action on an Ordinance amending Article 6.04 "Garbage, Trash and Rubbish" of Chapter 6, "Health and Sanitation" of the Code of Ordinances by adopting definitions and amending regulations for open storage; providing a Penalty; and Providing an Effective Date.
29. Consider and approve the Resolution of the Board of Directors of the Aubrey Municipal Development District Authorizing a Development Project; the Expenditure

of Funds on Hand to Complete the Development Project; and Other Matters Incident and Related Thereto.

30. Consideration and action on an Ordinance amending Ordinance No. 872-24, the ordinance adopting the fiscal year 2024-2025 budget for the Aubrey Municipal Development District, in order to budget funds for the purchase of property by the MDD.
31. Consideration and action on a Resolution authorizing Publication of Notice of Intent to Issue Certificates of Obligation, Series 2025.
32. Consideration and action approving an Ordinance amending the fiscal year 2024-2025 budget.
33. Consideration and action on an Ordinance amending Chapter 1, "General Provisions", Article 10, "Parks and Recreation" of the Code of Ordinances by amending Division 3 providing Park and Community Center Rules for users of City parks and facilities; adopting definitions and amending various regulations; providing a Penalty; and providing an Effective Date.
34. Consideration and action on an Ordinance amending Article 4.10 Special Event Permit of Chapter 4, Business Regulations of the Code of Ordinances by amending regulations and procedures for issuance of permits for special events and for conducting special events within the City; and Providing an Effective Date.
35. Receive a presentation summarizing the ratings of the submissions for architectural services for a future municipal building, submitted in response to the City's request for qualifications, and consider and take action to approve the selection of Parkhill as the architectural firm to provide professional services related to the planning, needs assessment, concept development, and cost estimation for a future municipal building, and authorize the city manager to negotiate and sign contract documents.
36. Consideration and action on a Resolution nominating a candidate for the Denco Area 9-1-1 District Board of Managers.
37. Consideration and action on removing and/or appointing member(s) to the Aubrey Area Library Advisory Board.

Department Updates and Discussion:

38. Administration & Finance:
39. Library:
40. Fire Department:
 - High School Program
 - Construction Update

- 41. Police Department:
- 42. Public Works:
 - Wastewater Plant Construction Update
 - Rockhill Water Well Update
- 43. Human Resources:
- 44. Municipal Development:

Future Agenda Requests: Council or Board 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:

- 45. **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:
 - *City of Aubrey v. Jerry H. Simmons*, et al, Cause No. PR-2024-01392-B, Denton County, Texas
 - Purchase of Property for Municipal Services
 - Knuckles Road Development
 - Downtown Property
- 46. **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
- 47. **Section 551.087 Economic Development Negotiations.** To discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City and with which the City is conducting economic development negotiations; and/or to deliberate the offer of a financial or other incentive to the business prospect:
 - Knuckles Road Development Incentives

Motion to Recess into Executive Session.

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.

-ADJOURN-

I, Jenny Hicks, 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 _____, 2025.

(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 accommodation 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.