

City Council Meeting Minutes

Aubrey City Council Chambers
226 Countryside Dr.
Aubrey, TX 76227
April 24, 2025
6:00 PM



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

Present: Chris Rich, Jeff Perry, Erin Allen, Chuck Fikes, Randy Jones

Absent: Matt Jones

Staff Present: City Attorney Patricia Adams, 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 Bailey Thompson, Planner Helen-Eve Beadle

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

Community Announcements:

1. - Mayor Rich presented a Proclamation and recognized outgoing Councilmember Erin Allen
- Fire Chief Eric Schlotter held a Swearing-in Ceremony for new hires Kathryn Hasty, Nation Gibrick, and Hunter Green.
- Sina Tidwell, from Commissioner Jared Patterson's office, presented a Resolution for Asst. Chief Downes' 25 years of service in the fire department.
- HR Director Shaena Williams announced new hire Annette Koehler, HR Generalist.

Citizen Input: None

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:

2. Approve minutes of the March 27, 2025 meeting.
3. Approve Monthly Staff Reports
4. Approve Monthly Financial Report.
5. Approve Quarterly Investment Report.

6. Approve a Resolution granting consent to the addition of an approximate 27.07 acres of land located in the James Bridges Jr. Survey, Abstract No. 36, Denton County, Texas, and being wholly within the ETJ of the City, into the boundaries of The Lakes Fresh Water Supply District of Denton County pursuant to a petition submitted by D.R. Horton-Texas Ltd., property owner. (Resolution No. 996-25)
7. Approve a Resolution ratifying an expenditure of \$143,195 paid to Davis Water Well for the emergency repair of the Faulkner Water Well; and providing an effective date. (Resolution No.998-25)
8. Approve a Sanitary Sewer Easement granted by Aubrey Land JVC to the City providing a permanent variable-width sewer easement across a 27.243-acre tract of land located in the Francisco Trevino Survey, Abstract 1243, City of Aubrey, Denton County, Texas.

Council Member Jeff Perry made a motion to approve the consent agenda items not including item number 8. Council Member Randy Jones seconded. Motion Passed (4:0). None opposed.

Director of Operations, Leanne Wilson, provided information regarding item number 8.

Council Member Erin Allen made a motion to approve item number 8, subject to developers final review and authorize the City Manager to finalize the document. Council Member Jeff Perry seconded. Motion Passed (4:0).

Tax Increment Reinvestment Zone No. 4 Board Meeting The City Council will recess into the Tax Increment Reinvestment Zone No 4 Board Meeting to discuss the following:

Council Member Randy Jones made a motion to recess into the TIRZ board meeting at 6:12 PM. Council Member Jeff Perry seconded. Motion Passed (4:0). None opposed.

9. Consider and take appropriate action regarding the Project and Finance Plan for Tax Increment Reinvestment Zone No. 4, (the "Zone"), a Zone consisting of approximately 159.9 acres of land generally located south of FM 428, west of FM 1385 and east of Coffey Rd, and within the City of Aubrey; providing a final Project and Financing Plan, pursuant to Chapter 311, of the Texas Tax Code (MuniCap).

Jennifer Sloan, with Muncipal, presented information.

Council Member Jeff Perry made a motion to recommend approval of the Project and Finance Plan for Tax Increment Reinvestment Zone No. 4, as presented. Council Member Chuck Fikes seconded. Motion Passed (4:0). None opposed.

The Tax Increment Reinvestment Zone No. 4 board reconvened into regular session at 6:16 PM.

New Business: New items requested for consideration.

10. Consideration and action on an Ordinance regarding approval of the final Project and Financing Plan for the Tax increment Reinvestment Zone No.4, City of Aubrey,

Texas and providing any findings and ordaining other matters in connection therewith.

Council Member Randy Jones made a motion to approve the Ordinance and the Project and Financing Plan for the Tax Increment Reinvestment Zone No. 4. Council Member Jeff Perry seconded. Motion Passed (4:0). None opposed. (Ordinance No. 902-25)

11. Consider and act on a Final Plat application for the Trivedi Addition for 2 lots in 25.165 acres of land out of the F. Trevino, Abstract No. 1243, within the City of Aubrey, Denton County, Texas. The property is generally located north of Spring Hill Road, south of Blackjack Road, and east of the future McNatt Road extension within the City of Aubrey, Denton County, Texas. (Pretium Capital, LLC and City of Aubrey)

Helen-Eve Beadle presented information.

Council Member Erin Allen made a motion to approve the Trivedi Addition Final Plat, dependent upon compliance with condition one as presented.

Condition: The recording information for the new 20-foot Mustang SUD easement and right-of-way shall be added prior to the plat being filed at the County.

Council Member Jeff Perry seconded. Motion Passed (4:0). None opposed.

12. Consider and act on a Site Plan application for the Redfearn Addition for one (1) lot on 3.783 acres of land out of the Francisco Trevino Survey, Abstract No. 1243, City of Aubrey, Denton County Texas. The property is generally located east of US Hwy 377, north of Redfearn Road, and east of Highmeadow Drive within the City of Aubrey, Denton County, Texas. (Maylar, DTC Ventures, Inc.)

Helen-Eve Beadle provided information.

Ian Norfolk, Civil Engineer for the developer, provided information.

Council Member Erin Allen made a motion to approve the Redfearn Addition Site Plan, subject to the two conditions, as presented:

Conditions:

1. The photometric plan is currently in review;
2. The variance for additional trees and fencing around the detention area be approved;
3. The elevations be verified to conform with the Planned Development; and
4. Confirm that parking is allowed over the easement.

Council Member Chuck Fikes seconded. Motion Passed (4:0). None opposed.

13. Consider and act on a Preliminary Plat application for the Redfearn Addition for one (1) lot on 3.783 acres of land out of the Francisco Trevino Survey, Abstract No. 1243,

City of Aubrey, Denton County Texas. The property is generally located east of US Hwy 377, north of Redfearn Road, and east of Highmeadow Drive within the City of Aubrey, Denton County, Texas. (Maylar, DTC Ventures, Inc.)

Helen-Eve Beadle presented information.

Council Member Randy Jones made a motion to approve the Redfearn Addition Preliminary Plat as presented. Council Member Chuck Fikes requested an amendment to the motion to include the conditions of the site plan (in the previous item). Council Member Randy Jones accepted the amendment.

Conditions:

- 1. The photometric plan is currently in review;**
- 2. The variance for additional trees and fencing around the detention area be approved;**
- 3. The elevations be verified to conform with the Planned Development; and**
- 4. Confirm that parking is allowed over the easement.**

Council Member Chuck Files seconded. Motion Passed (4:0). None opposed.

14. Consideration and action on a petition from Property Owner Wynn McGregor dated March 26, 2025 requesting removal of an approximate 21.822 acres of land from the extraterritorial jurisdiction of the City of Aubrey (identified by Owner as Denton County Parcel numbers 329842 and 498440).

Council Member Erin Allen made a motion to deny the petition from Wynn McGregor to remove an approximate 21.822 acres of land (identified by owner as Denton County Parcel 329842 and Parcel 498440) from the City's extraterritorial jurisdiction be denied for the following reasons:

- 1. The Petition does not meet the requirements of Chapter 42 of the Texas Local Government Code for an ETJ release petition;**
- 2. Alternatively, 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; and**
- 3. The City does not consent to removal of property from its ETJ.**

Council Member Jeff Perry seconded. Motion Passed (4:0). None opposed.

15. Consideration and action on Ordinance #898-25, amending Article 6.04 Garbage, Trash and Rubbish of the Code of Ordinances by adopting definitions and amending regulations for open storage; providing a Penalty; and Providing an Effective Date.

Code Compliance Officer Daniel Salazar presented information.

William Cherry, 400 S Main St, spoke in opposition of the proposed ordinance.

Council Member Jeff Perry made a motion to table until next month. Council Member Chuck Fikes seconded. Motion Passed (3:1). Council Member Erin Allen opposed.

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

Mike English presented information.

Council Member Erin Allen made a motion to approve the ordinance amending the Fiscal Year 2024-2025 budget. Council Member Chuck Fikes seconded. Motion Passed (4:0). None opposed. (Ordinance No. 900-25)

17. Conduct a Public Hearing, consider and take appropriate action regarding an application from the Historic Preservation Officer to designate the Peanut Dryer as an individual Historic Landmark.

The Public Hearing opened at 6:57 p.m. and closed at 7:01 p.m.

Leanne Wilson presented information.

Council Member Randy Jones made a motion to approve the application designating the Peanut Dryer as an individual Historic Landmark. Council Member Jeff Perry seconded. Motion Passed (4:0). None opposed.

18. Consideration and action on appointing alternate member(s) to the Historic Preservation Commission.

Council Member Jeff Perry made a motion to appoint Krys Murray as an alternate. Council Member Chuck Fikes seconded. Motion Passed (4:0). None opposed.

Department Updates and Discussion:

- 19. Administration & Finance:
- 20. Library:
- 21. Fire Department: Station Updates

Fire Chief Eric Schlotter provided the following updates:

- Fire Station #3

- Construction nearly complete, experienced a few delays
- Mustang will not release the water meter until a manhole is raised.
- Correction to bay floor coating is to be done
- Expect a late-May or early-June occupancy

- Fire Station #2

- Great progress being made
- Retaining wall complete
- Parking area to be poured in a couple weeks
- Roof covering is beginning
- First floor plumbing rough and electrical rough is complete

- 22. Police Department:
- 23. Public Works:
 - Wastewater Treatment Plant Construction Update

Director of Operations Leanne Wilson provided the following updates:

- **Wastewater Treatment Plant**
 - **Aeration basin poured**
 - **Excavation of UV channel began**
 - **Excavation of subgrade prep on storage tank began**
- **Rockhill Water Well is moving forward. Trees are being cleared and drilling should begin soon.**

- 24. Human Resources:
- 25. Municipal Development:

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:

- 26. **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:
 - Hidden Lakes Development
 - *City of Aubrey v. Jerry H. Simmons*, et al, Cause No. PR-2024-01392-B, Denton County, Texas
 - Project Bravo
 - Purchase of Property for Municipal Services
 - Trevedi Farms Development
 - Capital Improvement Projects
 - Elm Ridge Fire Service Contract
- 27. **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

Council Member Jeff Perry made a motion to recess into Executive Session at 7:07 PM. Council Member Chuck Fikes seconded. Motion Passed (4:0). None opposed.

City Council reconvened into open session at 8:57 PM.: 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 Resolution Number 997-25 for a land swap, which will occur by deeding the properties to the respective party for a sanitary control easement at the Rockhill Pump Station.

Council Member Chuck Fikes made a motion to approve the Resolution for the land swap. Council Member Jeff Perry seconded. Motion Passed (4:0). None opposed.

29. Consideration and action on Ordinance Number 894-25 disannexing the portion of property that is deeded to the Wilsons from a property swap for Rockhill Pump Station.

Council Member Erin Allen made a motion to approve the Ordinance for the land swap. Council Member Randy Jones seconded. Motion Passed (4:0). None opposed.

30. Additional motion after Executive Session:

Council Member Jeff Perry made a motion to authorize the purchase of property located at 1900 E Blackjack Rd for use as a police substation in an amount not to exceed \$621,000 and authorize the mayor to execute any necessary documents. Council Member Chuck Fikes seconded. Motion Passed (4:0). None opposed.

The meeting was adjourned at 8:59 PM.

PASSED and APPROVED by the City Council of the City of Aubrey, Texas this 22nd day of May, 2025.



Chris Rich, Mayor

ATTEST:



Jenny Hicks, City Secretary

