

# AUBREY, TEXAS

**City Council Meeting**  
Aubrey City Hall  
107 S. Main St  
Aubrey, TX 76227  
August 25, 2022  
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 Secretary Jenny Huckabee, Fire Chief Mike Starr, Assistant Fire Chief Jason Wilson, Battalion Chief Kyle Arnold, Police Chief/Interim City Administrator Charles Kreidler, Finance Director Mike English, Director of Public Works and Development Services Leanne Wilson, Assistant Public Works Director Joe Hernandez, Human Resources Manager AJ Rodriguez, City Attorney Patricia Adams

**Invocation & Pledge of Allegiance:** Council Member Perry

## **Community Announcements:**

**Charles Kreidler spoke regarding communication about the Home Rule Charter Election, City Hall closure on September 5<sup>th</sup> in observance of Labor Day, Peanut Festival, and negotiations with Rhino Removal to waive delivery fees.**

**Brittany McLain announced the read-a-thon at the library that began on August 20<sup>th</sup>.**

## **Mayor Rich presented the following Proclamations:**

**Suicide Prevention Awareness Month Proclamation** (*Lori Common, Denton County MHMR*)  
**United Way of Denton County - Live United Proclamation** (*Ray Croff, United Way of Denton County*)

## **Citizen Input:**

**Diane Beck, with Span & Meals on Wheels, spoke regarding budget contribution request.**

**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. July 26, 2022
  - b. August 11, 2022
2. Staff reports

3. Monthly financial report
4. An Ordinance approving a settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division, regarding the company’s 2022 rate review mechanism filings, and adopting tariffs that reflect the rate adjustments. (Ordinance 756-22)
5. Accept the infrastructure for Winn Ridge Phase 3B-1B and instruct the Mayor to execute the Final Plat.
6. Approve the purchase of a 2022 Ford Explorer from Stanley Ford in the amount of \$50,038 for the Development Services Department.
7. Approve the purchase of a 2022 Chevy Tahoe from Caldwell Country Chevrolet in the amount of \$34,840 for the Police Department.
8. Approve a city wide I.T. Project with Local Circuit in an amount not to exceed \$150,000.
9. Approve the disposal of 2017 Ford Explorer Police Vehicle, VIN 1FM5K8AR7HGD14092, through public auction.

**Council Member Perry removed items 6 and 7 from the consent agenda.**

**After discussion, Council Member Perry made a motion to approve the consent agenda including items 6 and 7. Council Member Fikes seconded. Motion passed unanimously.**

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

10. Consideration and action on an Ordinance providing for the issuance of City of Aubrey, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2022; levying a tax in payment thereof; prescribing the form of said certificates; approving and awarding the sale of the certificates; authorizing the execution and delivery of a paying agent/registrar agreement; approving the official statement; and enacting provisions incident and relating to the subject and purposes of this Ordinance. *Julie Partain, Bracewell LLP*

**Jim Sabonis, of Hilltop Securities and Julie Partain, of Bracewell, provided information.**

**Council Member Brawner made a motion to approve Ordinance providing for the issuance of City of Aubrey, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2022; levying a tax in payment thereof; prescribing the form of said certificates; approving and awarding the sale of the certificates; authorizing the execution and delivery of a paying agent/registrar agreement; approving the official statement; and enacting provisions incident and relating to the subject and purposes of this Ordinance. Council Member Perry seconded. Motion passed unanimously. (Ordinance 757-22)**

11. Consideration and action on an Ordinance regarding the 2022-2023 annual service plan update to the Service and Assessment Plan for the Winn Ridge South Public Improvement District and providing an effective date. *Abdi Yassin, Municap, Inc*

**Abdi Yassin, with Municap, provided information.**

**Council Member Brawner made a motion to table the item until we can get additional information regarding admin fees. Council Member Allen seconded. Motion passed unanimously.**

12. Consideration and action on an Ordinance regarding the 2022-2023 annual service plan update to the Service and Assessment Plan for the Jackson Ridge Public Improvement District and providing an effective date. *Abdi Yassin, Municap, Inc*

**Abdi Yassin, with Municap, provided information.**

**Council Member Brawner made a motion to approve the Ordinance regarding the 2022-2023 annual service plan update to the Service and Assessment Plan for the Jackson Ridge Public Improvement District. Council Member Fikes seconded. Motion passed unanimously. (Ordinance 755-22)**

13. **RECESS INTO EMPLOYEE BENEFIT TRUSTEE MEETING** *Rodney Dryden, HUB International*

**Time: 7:07 p.m.**

- a. Consideration and action on a Resolution authorizing the City of Aubrey Employee Benefits Trust agreement and appointing trustees for the City of Aubrey, Texas.

**Rodney Dryden, with Hub International provided information.**

**Council Member Allen made a motion to approve the Resolution authorizing the City of Aubrey Employee Benefits Trust agreement and appointing the Mayor and Mayor Pro Tem as trustees for the City of Aubrey, Texas. Council Member Perry seconded. Motion passed unanimously. (Resolution 906-22)**

- b. Consideration and action on awarding and funding the employee benefit trust insurance programs monthly as follows:
  - Health - \$555.31 per employee to Blue Cross Blue Shield of Texas
  - Dental - \$28.53 per employee to Blue Cross Blue Shield of Texas
  - Vision - \$5.73 per employee to Blue Cross Blue Shield of Texas
  - HSA Card: \$ 100 per Employee or \$200 for Family Coverage
  - Life Insurance/AD&D - \$0.160/\$1,000 to The Standard
  - Short Term Disability - \$0.236 per \$10 and Long-Term Disability - \$0.242 per \$100 to The Standard
  - First Stop Health - \$ 8.20 /employee
  - PHI Air Medical - \$15/employee (annually)
  - Discovery Benefits:
    - COBRA Administration - \$1.00/month
    - Flexible Spending Account - \$4.95/month

**Rodney Dryden, with Hub International provided information.**

**Council Member Allen made a motion to award and fund the programs bi-weekly as presented, changing the HSA card amounts to \$1,200 for employees and \$2,400 annually for family coverage. Council Member Brawner seconded. Motion passed unanimously.**

**RECONVENE INTO REGULAR SESSION Time: 7:23**

14. Consideration and action on a Resolution authorizing the selection of a Professional Service Provider for the Coronavirus Local Fiscal Recovery Fund Programs through the American Rescue Plan Act of 2021. *Leanne Wilson*

**Council Member Perry made a motion to approve the Professional Service Provider for the Coronavirus Local Fiscal Recovery Fund Programs through the American Rescue Plan Act of 2021. Council Member Fikes seconded. Motion passed unanimously. (Resolution 903-22)**

15. Consideration and action on a Resolution adopting revised bylaws for the Aubrey Area Library Advisory Board. *Brittany McLain*

**Council Member Allen made a motion to approve the Resolution adopting revised bylaws for the Aubrey Area Library Advisory Board. Council Member Perry seconded. Motion passed unanimously. (Resolution 904-22)**

16. Discussion regarding the Fiscal Year 2022-2023 Proposed Budget and action to set a public hearing date and vote on the proposed budget. **The final budget will be approved after the public hearing on September 13, 2022.** *Mike English*

Council Member Files made a motion to set a public hearing for September 13, 2022 at 6:00 p.m. at City Hall to vote on the proposed budget. Council Member Perry seconded. Motion passed unanimously.

17. Discussion regarding the proposed 2022 Tax Rate and action on a Resolution to set a public hearing date for September 13, 2022 and scheduling a vote on the tax rate for September 13, 2022. **An action taken on this item at this meeting will not adopt a tax rate.** *Mike English*

After Executive Session, Council Member Brawner made a motion to set the proposed 2022 Tax Rate at \$0.52500 per \$100 valuation and approve a Resolution to set a public hearing date for September 13, 2022 and scheduling a vote on the tax rate for September 13, 2022. Council Member Perry seconded. Council Members Brawner, Perry, Allen, and Fikes were in-favor. Council Member Jones was absent. (Resolution 905-22)

18. Consideration and action on an Ordinance altering the Speed Limit on Highway 377 within City limits. *Charles Kreidler*

Council Member Brawner made a motion to approve the Ordinance altering the speed limit on Highway 377 to 50 mph and 35 mph in the school zone. Council Member Perry seconded. Motion passed unanimously. (Ordinance 758-22)

**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. Municipal Development District Board: Consideration and action on removing and/or appointing members to the Municipal Development District Board.

Council Member Brawner made a motion to appoint Chad Larsen to the Aubrey Municipal Development District Board. Council Member Perry seconded. Motion passed unanimously.

20. Planning & Zoning Commission: Consideration and action on removing and/or appointing members to the Planning & Zoning Commission.

Council Member Brawner made a motion to accept the resignation of Cassandra Gilbert and appoint Brittney Murray to the Planning & Zoning Commission. Council Member Perry seconded. Motion passed unanimously.

21. Capital Improvements and Impact Fee Committee: Consideration and action on removing and/or appointing members to the Capital Improvement and Impact Fee Committee.

Council Member Brawner made a motion to accept the resignation of Eric Shearer. Council Member Perry seconded. Motion passed unanimously.

#### **Department Updates and Council Discussion:**

##### **Administration:**

- Traffic Flow Study (Main St @ Rockhill, Elm to Main St, and Winn Ridge)
- TxDOT Traffic Study on FM 428 recommended no changes.

##### **Fire Department:**

- Aubrey Area Ambulance Service

##### **Public Works:**

- Project Updates
- Continuation of issues with Aubrey Creek Estates Lift Station
- Wilson Lift Station
- Faulkner Well in-service

**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.

**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:*

- 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:
- *Indus Aubrey, LLC v. City of Aubrey, et al.*, Cause No. 22-0178-393, pending in the 393<sup>rd</sup> District Court of Denton County, Texas.
  - High Pointe Development
  - Aubrey Area Ambulance
  - Police and Fire Services for The Lakes/Silverado and Sandbrock
  - Knuckles Rd Development
- 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 Administrator
  - Police Chief
  - Fire Chief

**Council Member Brawner made a motion to adjourn into Executive Session at 8:04 p.m.**

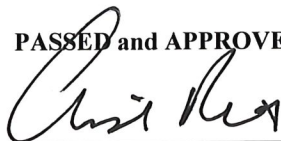
**Reconvene into Open Session: Time: 9:57 p.m.** In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to consider and take appropriate action, if any, regarding any items discussed in Executive Session.

22. Consideration and action on appointing a City Administrator and related matters and authorizing the Mayor to execute necessary documents.

**Council Member Perry made a motion to appoint Charles Kreidler as City Administrator and authorize the mayor to execute any documents. Council Member Allen seconded. Motion passed unanimously.**

**The meeting was adjourned at 10:01 p.m.**

**PASSED and APPROVED by the City Council of the City of Aubrey, Texas this 22nd day of September, 2022.**

  
Chris Rich, Mayor



**ATTEST:**

  
Jenny Huckabee, City Secretary