

MINUTES OF
TOWN COUNCIL WORKSESSION, PUBLIC HEARING & REGULAR MEETING
TOWN OF PROVIDENCE VILLAGE, TEXAS
PROVIDENCE VILLAGE TOWN HALL
1755 MAIN STREET, PROVIDENCE VILLAGE, TEXAS

TUESDAY, JUNE 21, 2022
7:30 P.M. Regular Session

Pursuant to Section 551.127, Texas Government Code, one or more Councilmembers or employees may attend this meeting remotely using videoconferencing technology. The video and audio feed of the videoconferencing equipment can be viewed and heard by the public at the address posted above as the location of the meeting.

Notice is hereby given that the Providence Village Town Council will conduct its Regularly Scheduled Meeting on Tuesday, June 21, 2022, at the Providence Village Town Hall with a quorum of the Town Council physically present. Limited seating for members of the public will be available using CDC recommended social distancing measures. The Town will utilize telephone and/or videoconference public meetings to facilitate public participation to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting. Telephonic or videoconferencing capabilities will be utilized to allow individuals to address the Council. Email comments may also be submitted to csparks@pvtx.gov by 3:00 p.m. the day of the meeting. Members of the Public are entitled to participate remotely via Zoom Meeting

<https://us02web.zoom.us/j/87587776555?pwd=REx4YkYzNHhNUkYydHQvTjhSRXJlUT09>

Meeting ID: 875 8777 6555
Passcode: 062122

IMPORTANT INFORMATION

ZOOM can be accessed by telephone, mobile phone app or computer. You must have a computer or mobile phone app to see the PowerPoint slides.

For those participating by computer only, you must have a microphone enabled computer to communicate verbally. Otherwise, you will have to call in via the telephone as well. If you participate through the mobile phone app you will be able to communicate verbally.

MINUTES

REGULAR SESSION – 7:30 p.m.

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT

Mayor Linda Inman called the meeting to order at 7:49 p.m. Town Council members present in person were Council Member Jordan Woodard, Mayor Pro-Tem Kelly Nelson, Council Member James Stewart, and Council Member Jeff Doramus were physically

present, Deputy Mayor Pro-Tem Victoria Mitchell joined via Zoom, being a quorum. Council Member Stojan Bacev was absent.

II. INVOCATION

Connie Sparks, Town Secretary, led the invocation.

III. PLEDGE OF ALLEGIANCE

IV. OPEN FORUM:

There were no requests to address the Town Council.

V. COMMITTEE REPORTS/STAFF REPORTS:

a. Staff Reports

Brian Roberson provided a summary of the Town Hall activities.

VI. CONSENT AGENDA – Items are considered self-explanatory and will be enacted with one motion. There will be no separate discussion of these items unless so requested by at least one member of the Town Council.

- a. Minute Approval –May 17, 2022, Town Council Regular Session Minutes and June 14, 2022, Town Council Special Meeting
- b. Administrative Action –
 - 1. Monthly Public Fund Investment Act Report

Council Member Jordan Woodard moved to approve the Consent Agenda; Council Member James Stewart seconded. Motion carried: 6 in favor, 0 opposed.

VII. ACTION ITEMS

- a. Receive a report and hold a discussion on the Town of Providence Village’s response to Coronavirus (COVID-19) and take action if community mitigation measures are needed.

Brian Roberson provided a summary of the COVID statistics.

- b. Receive recommendation from Planning and Zoning Commission and consider, discuss and act upon approval of final plat for Pinnacle Montessori, as submitted by Elm Fork Group, LLC, consisting of approximately 3.126 acres, as submitted in Universal Permit Application 22-01182-01.

Brian Roberson stated the Planning and Zoning Committee had approved the final plat for Pinnacle Montessori earlier and recommended the Council approve it as well. Mayor Pro-Tem Kelly Nelson asked if this was only for the Montessori location and not for any other commercial property and Brian Roberson stated this was only for the

Montessori but a different development could come later in a different section. Mayor Pro-Tem Kelly Nelson moved to approve the final plat for Pinnacle Montessori; Council Member Jordan Woodard seconded. Motion carried: 6 in favor, 0 opposed.

- c. Receive recommendations from Planning and Zoning Commission and consider, discuss and act upon approval of final plat for Providence Crossing, as submitted by Mark Shaw, consisting of approximately 17.352 acres, as submitted in Universal Permit Application 22-01190-01.

Brian Roberson stated the Planning and Zoning Commission recommended the approval of the final plat for Providence Crossing; Council Member Jordan Woodard moved to approve the final plat for Providence Crossing as Submitted by Mark Shaw; Council Member Jeff Doramus second. Motion carried: 6 in favor, 0 opposed.

- d. Consider, discuss and act upon letter agreement between Inframark, LLC and Town of Providence Village regarding fuel surcharges.

Brian Roberson provided a summary of a letter received from Inframark requesting a .4% fuel surcharge instead of revising the contracts they asked we do the surcharge making it about \$120.00 month for the Town. Council Member James Stewart asked how long the \$2.964 gas rate would have to stay before the surcharge would fall off, Brian stated it would be a full month. Mayor Pro-Tem Kelly Nelson asked if this surcharge would be added to the resident's bill, or would it be on the Town's bill Brian Roberson stated it would be on the Town's maintenance bill. Council Member Jordan Woodard moved to approve the .4% fuel surcharge from Inframark; Council Member Jeff Doramus seconded. Motion failed: 2 in favor, 4 opposed.

- e. Consider, discuss and act upon Ordinance No. 2022-257 amending the Code of Ordinances by adding Section 11.02.002 to Article 11.02, "Property Tax," of Chapter 11, "Taxation" to establish a residential homestead exemption.

Brian Roberson stated that with the rise in residential value, now would be a good time for the Town to consider a homestead exemption at the Town level. The ordinance would allow the resident a .5% saving on their tax bill. Mayor Pro-Tem Kelly Nelson moved to approve Ordinance No. 2022-257 amending the Code of Ordinances by adding Section 11.02.002 to Article 11.02, "Property Tax," of Chapter 11; Council Member Jordan Woodard seconded. Motion carried: 6 in favor, 0 opposed.

- f. Consider, discuss and act upon approval of Ordinance No. 2022-254 amending the Code of Ordinances to amend Chapter 12, "Traffic and Vehicles," Article 12.05, "Golf Carts" by replacing the entire article to update provisions to meet current statutes; providing for a repealed, providing for a savings clause, providing for a penalty in an amount not to exceed \$500.00, providing an effective date, and providing for the publication of the caption hereof.

Brian Roberson stated with the new laws regarding golf carts the Town would need to replace the entire article to update the provisions to match the current statutes. This

ordinance would replace the old ordinance entirely placing the responsibility back on the state and golf cart driver and not the Town. Mayor Pro-Tem Kelly Nelson moved to approve Ordinance No. 2022-254 amending the Code of Ordinances to amend Chapter 12, "Traffic and Vehicles," Article 12.05, "Golf Carts" by replacing the entire article to update provisions to meet current statutes; Council Member Jordan Woodard seconded. Motion carried: 6 in favor, 0 opposed.

- g. Consider, discuss and act upon approval of Ordinance No. 2022-250 amending the Code of Ordinances to amend Chapter 13, "Utilities," by adding Article 13.05, "Liquid Waste" to provide uniform requirements for liquid waste generators and liquid waste transporters and to enable the Town to comply with all applicable state and federal laws and regulars, providing for a repealer, providing for a savings clause, providing for a penalty in an amount not to exceed \$2,000.00, providing an effective date, and providing for publication of the caption.

Brian Roberson stated this is intended mostly for commercial uses, this will let these types of businesses know what their maintenance and record keeping responsibilities are and what requirements there are for their transporter. Council Member Jordan Woodard moved to approve Ordinance No. 2022-250 amending the Code of Ordinances to amend Chapter 13, "Utilities," by adding Article 13.05, "Liquid Waste"; Mayor Pro-Tem Kelly Nelson seconded. Motion carried; 6 in favor 0 opposed.

- h. Consider, discuss and act upon approval of Ordinance No. 2022-256 amending the 2021-2022 Fiscal Year Budget.

Brian Roberson provided a summary of the need for this amendment Ordinance No. 2022-256 amending the 2021-2022 Fiscal Year Budget. Relating to the exiting of Artesia from the Fire Plan. Council Member Jordan Woodard moved to approve Ordinance No. 2022-256 amending the 2021-2022 Fiscal Year Budget; Council Member Jeff Doramus seconded. Roll Call vote as follows:

Mayor Pro-Tem Kelly Nelson	Aye
Deputy Mayor Pro-Tem Victoria Mitchell	Aye
Council Member Jordan Woodard	Aye
Mayor Linda Inman	Aye
Council Member Jeff Doramus	Aye
Council Member James Stewart	Aye
Council Member Stojan Bacev	Absent

Motion carried: 6 in favor, 0 opposed.

- i. Consider, discuss and act upon appointment of alternate members to the Zoning Board of Adjustments.

No action taken.

- j. Consider, discuss and act upon purchase, exchange and/or valuation of real estate.

- k. Consider, discuss and act upon legal and administrative status involving litigation with Kyle Huggins, et al.
- l. Identify agenda items to be discussed at future meeting.
 - 1. BOA member
 - 2. Final Plat for Planning and Zoning and Council
 - 3. Donna Sims zoning

Mayor Linda Inman closed the Town Council Regular Session and convened into Executive Session at 8:41 p.m.

VIII. EXECUTIVE SESSION

The Town Council will convene into executive session pursuant to Texas Government Section 551.001, *et seq.* to discuss the following:

- a. § 551.071: Consultation with Attorney to seek the advice of the Town Attorney or other legal counsel concerning pending or contemplated litigation or on a matter in which the duty of the attorney(s) to the Town under Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act:
 - 1. To discuss legal and administrative status involving litigation with Kyle Huggins, et al.
 - 2. To receive legal advice regarding purchase, exchange and/or valuation of real estate.
- b. § 551.071: Consultation with the Town 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 regarding: (i) Roles and duties of Town Council members
- c. §551.074 (a): to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, or to hear a complaint or charge against an officer or employee: Roles and duties of Town Council members

Mayor Linda Inman closed Executive Session and reconvened into Town Council Regular Session at 9:40 p.m.

IX. RECONVENE INTO OPEN SESSION

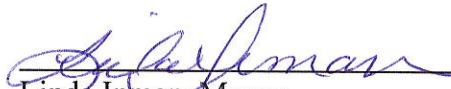
In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Open Session to consider action, if any, on matters discussed in Executive Session.

No action taken.

X. ADJOURNMENT

Mayor Pro-Tem Kelly Nelson moved to adjourn; Council Member Jordan Woodard seconded. Motion carried: 6 in favor, 0 opposed.

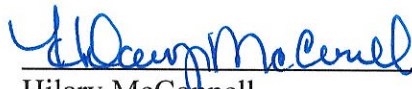
Mayor Linda Inman adjourned the meeting at 9:43 p.m.



Linda Inman, Mayor

7/19/22

Date Minutes Approved



Hilary McConnell
Deputy Town Secretary

7/19/22

Date Minutes Approved

