

NOTICE OF
TOWN COUNCIL WORKSESSION, PUBLIC HEARING & REGULAR MEETING
TOWN OF PROVIDENCE VILLAGE, TEXAS
PROVIDENCE VILLAGE TOWN HALL
1745 F.M. 2931
MONDAY, FEBRUARY 11, 2013
7:00 P.M. Regular Session

MINUTES

REGULAR SESSION 7:00 p.m.

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

Mayor Roberson called the meeting to order at 7:00 p.m. Town Council members present were Alderman Chris McCroskey, Alderman Lisa Garcia, Mayor Pro-Tem Earnest Law, and Alderman Mike Thompson, being a quorum. Alderman Kate Julian was absent.

II. PLEDGE OF ALLEGIANCE

- a. United States Flag
- b. Texas Flag:
 - i. Honor the Texas Flag I pledge allegiance to thee Texas, one State under God, one and indivisible

III. INVOCATION

Chris Yost of Crossways United Methodist Church led the invocation.

IV. OPEN FORUM:

Open Forum is for information only. The Council can take no action. No charges and/or complaints will be heard against any elected official, appointed official or employee of the Town unless presented in writing as prescribed in Chapter 22, paragraph 22.043 of the Local Government Code. Speaking time will be limited to three (3) minutes.

**Please note* Anyone wishing to furnish the Town Council with copies/handouts regarding their item of interest must provide 9 copies and present them to the Town Secretary for distribution to the Town Council.*

Don Fisher with Providence HOA distributed drawings of the proposed skate park and stated that the HOA was able to negotiate a larger skate park for less money. Mr. Fisher also stated that the soil samples had been taken and that the contract would be signed once the results of the soil survey have been reviewed. They are looking at April 2nd as a

start date for construction. Mr. Fisher further reported that the HOA had approved using a half of the tennis courts as a basketball court with a 12 ft. high fence and 2 nets on the basketball court. Mr. Fisher also reported on upcoming board member elections and the proxy changes and nomination process. A third party representative will count ballots and the developers will only exercise their vote. Mr. Fisher is hopeful that the HOA board can avoid any future election difficulties similar to what they had last year.

Mayor Pro-Tem Law motioned to close open forum; Alderman Thompson seconded. Motion carried: 4 in favor; 0 opposed.

V. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

- a. Monthly Reports from Committees: Communications, HOA, Water, Ordinance, Finance and Law Enforcement

Communication Committee – Nothing to report.

Emergency Preparedness Committee – Nothing to report.

Finance Committee – Nothing to report.

HOA – Nothing to report.

Ordinance Committee – Will be discussed later on the agenda.

Transition Committee – Nothing to report.

- b. Staff Reports

Code Enforcer, Mike Carroll, summarized his written activities report and provided summary report of permits, including 32 certificate of occupancy inspections and 2 demolition permits.

Alderman Garcia motioned to close the committee and staff reports; Mayor Pro-Tem Law seconded. Motion carried: 4 in favor, 0 opposed.

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
- b. Treasury Report
- c. Pay Bills
- d. Approve Purchase Orders

Alderman Garcia motioned to approve the consent agenda, excluding the invoice from Site Landscape Development; Alderman McCroskey seconded. Motion carried: 4 in favor, 0 opposed.

VII. ACTION ITEMS

- a. Consider, discuss and act upon approval of Ordinance No. 2013-055 amending Ordinance No. 2011-24, "Parking Ordinance" adding provisions designating specific areas as "no parking" zones and providing for the markings, signage and authorization for towing and/or citations for violations of said zones.

Alderman Thompson stated that he has received feedback from various residents that is positive. The responses have typically been "about time."

Alderman Garcia motioned to close Town Council regular session and open Public Hearing; Alderman Thompson seconded. Motion carried: 4 in favor, 0 opposed.

- b. Public hearing on Ordinance No. 2013-055 amending Ordinance No. 2011-24, "Parking Ordinance" adding provisions designating specific areas as "no parking" zones and providing for the markings, signage and authorization for towing and/or citations for violations of said zones.

Mayor Roberson opened Public Hearing at 7:11 p.m. Town Attorney, Philip Mack Furlow, read aloud a summary of Ordinance No. 2013-055 amending Ordinance No. 2011-024. Mayor Roberson open the floor to anyone wishing to speak for or against the matter. Arthur L. Hampton, a resident at 1913 Cambridge Dr., spoke against the ordinance stating that elderly family members who typically park in front of their house would be required to move further up the road and walk. Mr. Hampton discussed possible options, including driving on the opposite side of the traffic island. Mayor Roberson and Alderman McCroskey both commented that the parking ordinance was necessary for public safety and explained the drop off process. There were no further requests to address the Town Council. Alderman Garcia motioned to close Public Hearing and reconvene Town Council regular session; Mayor Pro-Tem Law seconded. Motion carried: 4 in favor, 0 against.

Mayor Roberson reconvened Town Council regular session at 7:18 p.m. Mayor Pro-Tem Law motioned to approve Ordinance No. 2013-055 amending Ordinance No. 2011-024; Alderman McCroskey seconded. Motion carried: 4 in favor, 0 against.

- c. Consider, discuss and act upon approval of Ordinance No. 2013-052 amending Ordinance No. 2010-15, "Prohibiting the Sale, Storage and Discharge of Fireworks within the Corporate Limits or the ETJ" clarifying definitions and the addition of penalty provisions and notice section.

Alderman Garcia stated that she wants to send this ordinance be amended to include prohibition of possession of fireworks by minors. There was extensive discussion regarding the possession issue. Deputy Lively suggested that a reference to "in transit" or "traveling" be included in the definition to address the possession issue. Alderman McCroskey and Alderman Thompson both expressed concerned with prohibit "possession" because they felt it was an overstretch of municipal authority and was prohibiting possession of an otherwise legal object. There was further

