Mayor Dormier called the Council Meeting of the Ovilla City Council to order at 6:30 PM, in the Ovilla Council Chamber Room, 105 S. Cockrell Hill Road Ovilla TX 75154, with notice of the meeting duly posted.

The following City Council Members were present:

- Kimberly Case  
- David Griffin  
- Doug Hunt  
- Brad Pland  
- Council Member, Place 1  
- Council Member, Place 3  
- Mayor Pro Tem, Place 4  
- Council Member, Place 5  

Mayor Dormier noted that the above members of the council were in attendance thus constituting a quorum with Place 2 Dean Oberg noted as absent. The city manager, acting city secretary, department directors, and various staff were also present.

**CALL TO ORDER:**

Place 1 Case led the invocation and Mayor Dormier led the reciting of the U.S. Pledge of Allegiance and the Pledge to the “texas Flag.”

**ANNOUNCEMENTS, PROCLAMATIONS, PRESENTATIONS, COMMENTS:**

- Annual Clean Up Day April 22 and Hazardous Waste April 29  
- Service League Presentation to the Fire and Police Department’s

**CITIZEN COMMENTS:**

None

**CONSENT AGENDA:**

C1. Financial Transactions over $5000  
C2. Minutes of the Regular Council Meeting February 13, 2023  
C3. Certification of Unopposed Candidates  
C4. 2023 Ellis County Joint Election Contract

Mayor Pro Tem Hunt motioned to approve all consent agenda items.

Seconded by PL1 Case.  
No oppositions, no abstentions.  
**VOTE:** The motion to approve carried unanimously: 4-0

**REGULAR AGENDA:**

Richard Dormier, Mayor  
Kimberly Case, Place One  
Dean Oberg, Place Two  
Doug Hunt, Place Four  
David Griffin, Place Three  
Brad Pland, Place Five
ITEM 1. DISCUSSION/ACTION – Consideration of and action on Resolution No. R2023-02, a Resolution of the City Council of the City of Ovilla, Texas accepting the Annual Financial Audit report for the year ending September 30, 2022, prepared and presented by Forvis, LLP.

Forvis, LLP presented the council with the annual financial audit report for the year ending September 30, 2022. Representatives advised that the City of Ovilla has an unmodified clean opinion of the audited financials.

The council discussed the audit report including topics related to unassigned fund balances, TMRS, budget expenditures, revenues, and mid-year budget amendments with Forvis, LLP.

PL 1 Case motioned to approve Resolution No. R2023-02, a Resolution of the City Council of the City of Ovilla, Texas accepting the Annual Financial Audit report for the year ending September 30, 2022, prepared and presented by Forvis, LLP.

Mayor Pro Tem Hunt seconded the motion.
No oppositions, no abstentions.
VOTE: The motion to approve carried unanimously: 4-0

ITEM 2. DISCUSSION/ACTION – Consideration of and action on Resolution No. R2023-03, a Resolution authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation.

PL 3 Griffin motioned to approve Resolution No. R2023-03, a Resolution authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation.

PL 5 Piland seconded the motion.
No oppositions, no abstentions.
VOTE: The motion to approve carried unanimously: 4-0

ITEM 3. DISCUSSION/ACTION – Consideration of and action on Resolution No. R2023-04, a Resolution of the City Council of the City of Ovilla, Texas adopting the 2022 Ellis County Hazard Mitigation Plan.

Fire Chief Brandon Kennedy explained to the council that this Resolution approves the final version of the Hazard Mitigation Plan which was reviewed by the council last fall. Chief Kennedy advised the plan to be reviewed every five (5) years.

Place 5 Piland motioned to approve Resolution No. R2023-04, a Resolution of the City Council of the City of Ovilla, Texas adopting the 2022 Ellis County Hazard Mitigation Plan.
Place 1 Case seconded the motion.
No oppositions, no abstentions.
**VOTE: The motion to approve carried unanimously: 4-0**

**ITEM 4. DISCUSSION/ACTION** – Consideration of and action on Ordinance No. 2023-06, an Ordinance of the City of Ovilla, Texas, declaring unopposed candidates in the May 06, 2023, General City Election elected to office; canceling the General Election; providing a savings clause; providing a severability clause; and providing an effective date.

Mayor Pro Tem Hunt motioned to approve Ordinance No. 2023-06, an Ordinance of the City of Ovilla, Texas, declaring unopposed candidates in the May 06, 2023, General City Election elected to office; canceling the General Election; providing a savings clause; providing a severability clause; and providing an effective date.

PL3 Griffin seconded the motion.
No oppositions, no abstentions.
**VOTE: The motion to approve carried unanimously: 4-0**

**ITEM 5. DISCUSSION/ACTION** – Consideration of and action on Ordinance No. 2023-07, an Ordinance of the City of Ovilla, Texas, adopting the 2018 International Fire Code with 2018 North Central Texas Council of Governments (“COG”) amendments, the 2018 International Building Code with 2018 COG amendments, the 2018 International Mechanical Code with 2018 COG amendments, the 2018 International Residential Code with 2018 COG amendments, the 2018 International Plumbing Code with 2018 COG amendments, the 2018 International Fuel Gas Code with 2018 COG amendments, the 2018 International Energy Conservation Code with 2018 COG amendments, the 2018 International Swimming Pool and Spa Code with 2018 COG amendments, and the 2017 National Electrical Code with 2017 COG amendments; repealing all prior editions of such codes previously adopted by the City of Ovilla; providing for penalties for violations; providing a savings clause; providing a severance clause; providing for incorporation into the Code Of Ordinances; providing for publication; and providing an effective date.

PL1 Case motioned to approve Ordinance No. 2023-07, an Ordinance of the City of Ovilla, Texas, adopting the 2018 International Fire Code with 2018 North Central Texas Council of Governments (“COG”) amendments, the 2018 International Building Code with 2018 COG amendments, the 2018 International Mechanical Code with 2018 COG amendments, the 2018 International Residential Code with 2018 COG amendments, the 2018 International Plumbing Code with 2018 COG amendments, the 2018 International Fuel Gas Code with 2018 COG amendments, the 2018 International Energy Conservation Code with 2018 COG amendments, the 2018 International Swimming Pool and Spa Code with 2018 COG amendments, and the 2017 National Electrical Code with 2017 COG amendments; repealing all prior editions of such codes previously adopted by the City of Ovilla; providing for penalties for violations; providing a savings clause; providing a severance clause; providing for incorporation into the Code Of Ordinances; providing for publication; and providing an effective date.

PL5 Piland seconded the motion.
No oppositions, no abstentions.
**VOTE: The motion to approve carried unanimously: 4-0**

*Richard Dormier, Mayor*
*Kimberly Case, Place One*
*Dean Oberg, Place Two*

*Doug Hunt, Place Four*
*David Griffin, Place Three*
*Brad Piland, Place Five*
ITEM 6. **DISCUSSION/ACTION** – Consideration of and action on Resolution No. R2023-05, a Resolution of the City Council of the City of Ovilla, Texas, adopting a policy and criteria for considering requests for the creation of Municipal Utility Districts.

Mayor Dormier explained that this Resolution will give the city more standing to oppose Municipal Utility Districts at the Public Utility Commission if the district did not follow the regulations that the city preferred.

PL3 Griffin motioned to approve Resolution No. R2023-05, a Resolution of the City Council of the City of Ovilla, Texas, adopting a policy and criteria for considering requests for the creation of Municipal Utility Districts.

PL1 Case seconded the motion.
No oppositions, no abstentions.

**VOTE:** The motion to approve carried unanimously: 4-0

ITEM 7. **DISCUSSION/ACTION** – Consideration of and action on Resolution No. R2023-06, a Resolution of the City of Ovilla Texas, selecting an administration/project delivery service provider(s) to complete implementation for the American Rescue Plan Act (ARP Act) funding administered by the U.S. Department of the Treasury, other Federal or State Agency.

Mayor Dormier explained the steps the city had taken to secure a provider to administer the American Rescue Plan Act including going out for publication and reviewing each proposal as a committee.

Mayor Pro Tem Hunt motioned to approve Resolution No. R2023-06 a Resolution of the City of Ovilla Texas, selecting an administration/project delivery service provider(s) to complete implementation for the American Rescue Plan Act (ARP Act) funding administered by the U.S. Department of the Treasury, other Federal or State Agency.

PL1 Case seconded the motion.
No oppositions, no abstentions.

**VOTE:** The motion to approve carried unanimously: 4-0

ITEM 8. **DISCUSSION/ACTION** – Consideration of and action on Resolution No., R2023-07, a Resolution of the City of Ovilla Texas, selecting an engineering service provider(s) to complete implementation for the American Rescue Plan Act (ARP Act) funding administered by the U.S. Department of the Treasury, other Federal or State Agency.

Mayor Dormier explained that the city carried out the same steps to secure an engineering service provider, however, only one proposal was returned.

PL1 Case motioned to approve Resolution No., R2023-07, a Resolution of the City of Ovilla Texas, selecting an engineering service provider(s) to complete implementation for the American Rescue Plan Act (ARP Act) funding administered by the U.S. Department of the Treasury, other Federal or State Agency.

Richard Dormier, Mayor
Kimberly Case, Place One
Dean Oberg, Place Two

Doug Hunt, Place Four
David Griffin, Place Three
Brad Pliand, Place Five
PL.1 Case seconded the motion. No oppositions, no abstentions. 

**VOTE: The motion to approve carried unanimously: 4-0**

**ITEM 9. DISCUSSION/ACTION** - Consideration of and action on Resolution No. R2023-08, a Resolution approving the filing of the Fire Department SAFER Grant and authorizing the City Manager to execute the application documents.

Fire Chief Kennedy discussed Resolution No. R2023-08 with the council. The Resolution would allow the City Manager to execute the application documents for a grant which would pay the base salary and benefits of three (3) full-time firefighters for three (3) years. Chief Kennedy explained that after three (3) years it would be the City of Ovilla’s responsibility to begin paying the salary and benefits for the positions.

The council discussed with Chief Kennedy the benefits of the program as well as the concerns of the council. Chief Kennecy explained that approval of the resolution would symbolize that the city would accept the grant if awarded. Chief Kennedy did state that not accepting the grant once awarded would not be favorable to the city for future grant projects.

Mayor Pro Tem Hunt motioned to deny Resolution No. R2023-08, a Resolution approving the filing of the Fire Department SAFER Grant and authorizing the City Manager to execute the application documents.

PL.3 Griffin seconded the motion.
PL.1 Case and PL. 5 Pilland opposed the motion, no abstentions.

**VOTE: The motion to deny failed: 2:2**

PL.1 Case motioned to approve Resolution No. R2023-08, a Resolution approving the filing of the Fire Department SAFER Grant and authorizing the City Manager to execute the application documents.

PL.5 Pilland seconded the motion.
PL.3 Griffin and Mayor Pro Tem Hunt opposed the motion, no abstentions.

**VOTE: The motion to approve carried with Mayor Dormier voting to approve. Motion carried: 3-2**

**ITEM 10. DISCUSSION/ACTION** - Consideration of and action on removing Pamela Woodall as a signatory on the City of Ovilla’s bank accounts.

PL.1 Case motioned to approve removing Pamela Woodall as a signatory on the City of Ovilla’s bank accounts.

Mayor Pro Tem Hunt seconded the motion. No oppositions, no abstentions.

**VOTE: The motion to approve carried unanimously: 4-0**

Richard Dormier, Mayor
Kimberly Case, Place One
Dean Oberg, Place Two

Doug Hunt, Place Four
David Griffin, Place Three
Brad Pilland, Place Five
ITEM 11. DISCUSSION/ACTION – Consideration of any item(s) pulled from the Consent Agenda for individual consideration and action.

No items were pulled from the Consent Agenda.

RECEIVE DEPARTMENTAL REPORTS – NO ACTION OR DISCUSSION

- Departmental Reports
  - Police Department Police Chief J. Bennett
  - Fire Department Fire Chief B. Kennedy
  - Public Works Department Public Works Director J. Kuykendall
  - Finance Department Finance Director S. Jungman
  - Administration City Manager P. Woodall
  - City Secretary B. Taylor

EXECUTIVE SESSION:
The City Council of the City of Ovilla, Texas, reserves the right to meet in a closed session on any item listed on this Agenda should the need arise, pursuant to authorization by Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), 551.087 (economic development), 418.183 (homeland security).

A. Convene into Executive Session: 7:33 pm

ES ITEM 1. DISCUSSION – Closed Session – Called pursuant to:

Section 551.071 (2) of the Texas Government Code: Consultation with Attorney: To seek advice from 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 this chapter.

Section 551.074 (1) of the Texas Government Code: Personnel Matters: To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

Deputy City Secretary
City Manager

B. Adjourn from the executive session and reconvene into the open meeting: 9:25 pm

ANY ACTION NECESSARY OR APPROPRIATE AS A RESULT OF THE CLOSED EXECUTIVE SESSION.

None

Richard Dormier, Mayor
Kimberly Case, Place One
Dean Oberg, Place Two

6

Doug Hunt, Place Four
David Griffin, Place Three
Brad Piland, Place Five
REQUESTS FOR FUTURE AGENDA ITEMS AND/OR ANNOUNCEMENTS BY COUNCIL AND STAFF:

None

ADJOURNMENT:

Mayor Pro Tem Hunt made a motion to adjourn.

PL.1 Case seconded the motion.

There being no further business, Mayor Dormier adjourned the meeting at 9:27 p.m.

No oppositions, no abstentions.

VOTE: The motion to approve carried unanimously: 4-0

Richard Dormier, Mayor

ATTEST:

Bobbie Jo Taylor, City Secretary

APPROVED: April 10, 2023