

CITY OF OVILLA MINUTES
Monday, June 12, 2023
Regular City Council Meeting
105 S. Cockrell Hill Road, Ovilla, TX 75154

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	Mayor Pro Tem,	Place 1
David Griffin	Council Member,	Place 3
Doug Hunt	Council Member,	Place 4
Brad Piland	Council Member,	Place 5

Mayor Dormier noted that Place 2 Oberg was not in attendance. All other council members were in attendance thus constituting a quorum. The City Manager, City Secretary, department directors, and various staff were also present.

CALL TO ORDER:

Place 4 Hunt led the invocation and Mayor Pro Tem Case led the reciting of the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

ANNOUNCEMENTS, PROCLAMATIONS, PRESENTATIONS, COMMENTS:

City Manager, David Henley, gave an update on the following items:

- Code Enforcement Activity
- Development Activity
- Solid Waste Request for Proposals

CITIZEN COMMENTS:

Tana Jimenez, 109 Suburban Dr., addressed the council regarding concerns on how the City of Ovilla moves forward after the passage of the Red Oak ISD bond.

Brenda Samples, Red Oak ISD, gave a brief update on the passage of the bond and stated she was looking forward to working with the City of Ovilla to construct the new middle school.

Mayor Dormier moved Item #7 to be discussed prior to the Consent Agenda

ITEM 7. DISCUSSION – Discuss traffic concerns in the City of Ovilla including the possibility of installing traffic calming devices (speed bumps) in neighborhoods with a high volume of daily traffic, and speed limit regulations.

Citizen Comments regarding item #7:

Joe Richtsmeier, 925 Red Oak Creek Dr., in favor of speed bumps on Red Oak Creek Dr.

Carol Richtsmeier, 925 Red Oak Creek Dr., in favor of speed bumps on Red Oak Creek Dr.

Jennifer Ferranti, 603 Cedar Ridge Ct., in favor of speed bumps on Red Oak Creek Dr.

Madeline Zabochnik, 922 Red Oak Creek Dr., In favor of speed bumps on Red Oak Creek Dr.

John Zabochnik, 922 Red Oak Creek Dr., In favor of speed bumps on Red Oak Creek Dr.

Cheryl Jacobs, 910 Red Oak Creek Dr., in favor of speed bumps on Red Oak Creek Dr.
Pamilee Koval, 121 Water St., traffic concerns on Water Street.
Allison Barger, 140 Claremont Dr., traffic concerns in Ovilla Parc

The council held a discussion with staff regarding traffic concerns in Ovilla. The council was favorable to increasing patrol of the areas that were brought to their attention by citizens. PL 5 Piland advised the council that certain regulations must be met prior to placing any sort of traffic calming devices on city streets.

The council directed staff to research traffic calming techniques and other regulations such as speed bumps that could potentially lead to a decrease in traffic-related concerns in the City of Ovilla. The Council requested that staff bring back their findings at an upcoming City Council Meeting for possible action.

After discussion on Item #7 Mayor Dormier resumed the meeting beginning with the Consent Agenda.

CONSENT AGENDA:

- C1.** Financial Transactions over \$5,000
- C2.** Minutes of the Regular Council Meeting May 8, 2023
- C3.** Minutes of the Special Council Meeting May 16, 2023
- C4.** Fiscal Year 2023/2024 Budget Calendar

Place 4 Hunt motioned to approve all consent agenda items.

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

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

REGULAR AGENDA:

ITEM 1. DISCUSSION/ACTION – Consideration of and action on nominations and the appointment of the Mayor Pro Tem.

Mayor Dormier recommended that the council consider Place 1 Kimberly Case as the Mayor Pro Tem.

PL3 Griffin motioned to accept the mayor's recommendation and appoint Place 1 Kimberly Case as Mayor Pro Tem.

PL 5 Piland 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 Ordinance No. 2023-10, an ordinance of the City of Ovilla, Texas, amending Chapter 3, Article 3.06, Section 3.06.005 of the Code of Ordinances of the City of Ovilla; amending the number of feather banners; providing a savings clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication.

Mayor Pro Tem Case motioned to approve Ordinance No. 2023-10, an ordinance of the City of Ovilla, Texas, amending Chapter 3, Article 3.06, Section 3.06.005 of the Code of Ordinances of the City of Ovilla; amending the number of feather banners; providing a savings clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication.

PL 3 Griffin 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 ratifying the decision to extend the Depository Services Contract with Prosperity Bank for an additional year from June 1, 2023, through May 31, 2024.

PL 4 Hunt motioned to approve ratifying the decision to extend the Depository Services Contract with Prosperity Bank for an additional year from June 1, 2023, through May 31, 2024.

PL 5 Piland 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 Resolution No. R2023-12, a resolution of the City Council of the City of Ovilla, Texas, authorizing the execution of a State Infrastructure Bank loan agreement; authorizing David D. Henley, City Manager, to act on behalf of the City of Ovilla, Texas in all matters relating to the execution of the agreement; and providing an effective date.

City Manager Henley advised the council that the city had been approved for the loan which would be used to relocate the utilities in TxDot right of ways on FM 664 (Ovilla Rd.) Mr. Henley stated that the loan would be paid over the course of 20 years at 4.26% interest, no penalty for early payoff of the loan, and a yearly payment of \$301,143.00.

PL 5 Piland motioned to approve Resolution No. R2023-12, a resolution of the City Council of the City of Ovilla, Texas, authorizing the execution of a State Infrastructure Bank loan agreement; authorizing David D. Henley, City Manager, to act on behalf of the City of Ovilla, Texas in all matters relating to the execution of the agreement; and providing an effective date.

Mayor Pro Tem Case 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 the approval of the City of Ovilla American Rescue Plan Act/Federal Procurement Policies and Procedures and authorizing David D. Henley, City Manager, to execute the policy and the policy and procedure statement.

Mayor Pro Tem Case motioned to authorize David D. Henley, City Manager, to execute the policy and the policy and procedure statement for the City of Ovilla American Rescue Plan Act/Federal Procurement Policies and Procedures.

PL4 Hunt seconded the motion.
No oppositions, no abstentions.

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

ITEM 6. DISCUSSION – Discuss the possibility of declaring the City of Ovilla as a Sanctuary City for the Unborn as requested by Place 1 Case.

Item 6 was removed from the agenda on 6.9.2023. An amended agenda was posted online and on the bulletin board which officially removed the item from the agenda.

Mayor Dormier advised that Item 7 was discussed by the council at the beginning of the meeting prior to the Consent Agenda. Mayor Dormier stated that the council would move to Item 8 at this time.

ITEM 8. DISCUSSION – Discuss the possible sale, conveyance, or exchange of 693 J McNamara 1.97 Acres, 693 J McNamara 0.46 Acres, and 693 J McNamara 0.43 Acres.

City Manager Henley advised the council that the 4B EDC Board is interested in purchasing the property commonly known as 708 Main St. Mr. Henley stated that the 4B Board would be better situated to develop the property. The council advised that they would like to see deed restrictions placed on the property prior to making a sale to be sure that the historical element of the property is maintained.

ITEM 9. DISCUSSION – Discuss city council priorities for the 2023/2024 Fiscal Year Budget.

The council discussed budget priorities with city staff which included maintaining the tax rate as low as possible, increasing the city reserve funds that have been depleted in prior years, adding funds for street repair projects, and the purchase of squad cars for the Police Department.

ITEM 10. DISCUSSION/ACTION – Consideration of and action on Ordinance No. 2023-11, an ordinance of the City of Ovilla, Texas, amending Ordinance No. 2023-07, adopting the 2018 International Fire Code with North Central Texas Council of Governments (“COG”) amendments - Option A, to adopt Appendices B, C, D, and I; providing for the incorporation of premises; providing for amendment to Section 2; providing a cumulative repealer clause; providing a savings clause; providing a severability clause; providing for a penalty; and providing for an effective date.

PL3 Griffin motioned to approve Ordinance No. 2023-11, an ordinance of the City of Ovilla, Texas, amending Ordinance No. 2023-07, adopting the 2018 International Fire Code with North Central Texas Council of Governments (“COG”) amendments - Option A, to adopt Appendices B, C, D, and I; providing for the incorporation of premises; providing for amendment to Section 2; providing a cumulative repealer clause; providing a savings clause; providing a severability clause; providing for a penalty; and providing for an effective date.

PL4 Hunt seconded the motion.
No oppositions, no abstentions.

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

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.

ITEM 12. DISCUSSION/ACTION – Consideration of and action on Ordinance No. 2023-12, an ordinance creating the office of City Secretary; providing for the appointment, supervision and removal of the City Secretary; establishing the principal duties and responsibilities of the City Secretary; providing for a bond; repealing conflicting ordinances or portions of ordinances; providing for severability; providing a savings clause; and setting the effective date.

City Secretary Bobbie Jo Taylor requested that the mayor adjourn the council into executive session to discuss Item 12.

Mayor Dormier announced that the council will adjourn into executive session for discussion only regarding Item 12 as requested by the City Secretary. Mayor Dormier advised the public that in addition to Item 12 the following items scheduled for executive session would also be discussed:

Adjourn Time: 7:54 pm

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).

1. § 551.071: 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 regarding: (i) City Manager; (ii) City Secretary
2. §551.074: 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: (i) City Manager; (ii) City Secretary

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.

Reconvene Time: 8:34 pm

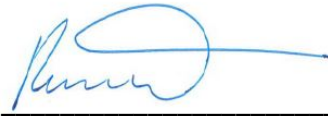
Mayor Pro Tem Case motioned to approve the resolution and employment agreement for David D. Henley to serve as City Manager for the City of Ovilla as discussed in executive session.

PL3 Griffin seconded the motion.

No oppositions, no abstentions.

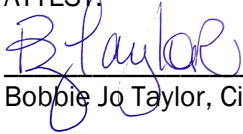
VOTE: The motion to approve carried unanimously: 4-0

After council action resulting from the executive session, Mayor Dormier advised that the council would continue the meeting beginning with consideration and action relating to Item 12.



Richard Dormier, Mayor

ATTEST:



Bobbie Jo Taylor, City Secretary

APPROVED: June 12, 2023

