

CITY OF OVILLA MINUTES

Monday, July 10, 2023
Regular City Council Meeting
105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Pro Tem Case 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
Dean Oberg	Council Member,	Place 2
David Griffin	Council Member,	Place 3
Doug Hunt	Council Member,	Place 4
Brad Piland	Council Member,	Place 5

Mayor Pro Tem Case noted that Mayor Dormier was not in attendance. All other members of the council were present constituting a quorum. The City Manager, City Secretary, Department Directors, and various staff were also present.

CALL TO ORDER:

PL5 Piland led the invocation and PL2 Oberg led the reciting of the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

ANNOUNCEMENTS, PROCLAMATIONS, PRESENTATIONS, COMMENTS:

The City Council and the Best Southwest Chair Patricia Coleman presented the Best Southwest Mayoral Scholarship to Gabriella Noice.

The following announcements were given by Mayor Pro Tem Case:

- Budget Workshops
 - July 18, 2023, at 5:00 p.m.
 - July 19, 2023, at 5:00 p.m.; 5:30 p.m.; 6:00 p.m.
 - July 24, 2023, at 5:30 p.m.
- Cyber Security Training Due August 31, 2023

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

- Red Oak ISD Middle School
- City Engineer Agreement
- Finance Clerk Position
- City Prosecutor
- Development Process
- Website Update
- Heritage Day
- Traffic Calming Devices

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. Sec. 551.071 (1) and (2), of the Texas Government Code: Consultation with Attorney: Consultation with the City's Attorney to seek the advice of its attorney about pending or contemplated litigation or a settlement offer, or 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: Complaints and Claims Management.

The City Council adjourned into executive session at 6:38 p.m.

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.

The City Council reconvened into open session at 7:26 p.m. No action was taken as a result of the executive session.

CITIZEN COMMENTS:

Carol Richtsmeier, 925 Red Oak Creek, addressed the council regarding traffic concerns on Red Oak Creek.

Dani Muckleroy, 608 Green Meadows, addressed the council regarding the fireworks ordinance and regulations on political signs.

PUBLIC HEARING

P1. Hold a Public Hearing to receive public comment on the amendment of land use assumptions, service areas, and capital improvements plans for water and wastewater facilities and amended water and wastewater impact fees. The City of Ovilla's Advisory Committee has recommended to the City Council that the fees be adopted at the maximum fee amount of \$3,355.31 per water impact service unit and \$5,314.75 per sewer impact service unit.

a. **PRESENTATION** - Review by staff.

b. **PUBLIC HEARING** - Receive comments from those wishing to speak.

Mayor Pro Tem Case opened the Public Hearing at 7:35 p.m.

City Engineer Andrew Mata gave a presentation and update on the findings of the Impact Advisory Committee which recommended that updated impact fees be adopted by the city council. Mr. Mata advised that the maximum fee amounts allowed to be adopted by the council were \$3,355.31 per water impact service unit and \$5,317.75 per sewer impact service unit.

No citizens appeared to speak during the Public Hearing.

Mayor Pro Tem Case closed the Public Hearing at 7:43 p.m.

CONSENT AGENDA:

- C1. Financial Transactions over \$5,000
- C2. Minutes of the Regular Council Meeting June 12, 2023

PL4 Hunt motioned to approve all consent agenda items.

PL2 Oberg seconded the motion.

No oppositions, no abstentions.

VOTE: The motion to approve carried unanimously: 5-0

REGULAR AGENDA:

ITEM 1. DISCUSSION/ACTION – Consideration of and action on Ordinance 2023-13 an ordinance of the City of Ovilla, Texas, amending the Code of Ordinances, City of Ovilla, Texas, by adopting and codifying the revised Land Use Assumptions, Capital Improvements Plans, and Impact Fees for water and wastewater facilities, as set forth in Exhibit “A” hereto, to be codified as Division 2, renamed as “Water and Wastewater Impact Fee Update 2023 to 2033” of Article 13.04, “Water and Sewer Impact Fees” of Chapter 13, “Utilities” and to amend Section A7.009, “Impact Fees” of Appendix “A” “Fee Schedule” of the Code of Ordinances of the city in order to adopt updated water and wastewater impact fees and capital improvement plans for water distribution and wastewater collection; providing for the incorporation of premises; providing for the repeal of the five-year water and wastewater impact fee review; providing for the adoption of updated land use assumptions, service areas and capital improvement plans for water and wastewater facilities 2022-2032; providing for amendments to Chapter 13, “Utilities” and Appendix “A”, “Fee Schedule”; providing a cumulative repealer clause; providing for severability; providing for engrossment and enrollment; providing for publication; and providing an effective date.

PL3 Griffin motioned to approve Ordinance 2023-13 an ordinance of the City of Ovilla, Texas, amending the Code of Ordinances, City of Ovilla, Texas, by adopting and codifying the revised Land Use Assumptions, Capital Improvements Plans, and Impact Fees for water and wastewater facilities, as set forth in Exhibit “A” hereto, to be codified as Division 2, renamed as “Water and Wastewater Impact Fee Update 2023 to 2033” of Article 13.04, “Water and Sewer Impact Fees” of Chapter 13, “Utilities” and to amend Section A7.009, “Impact Fees” of Appendix “A” “Fee Schedule” of the Code of Ordinances of the city in order to adopt updated water and wastewater impact fees and capital improvement plans for water distribution and wastewater collection; providing for the incorporation of premises; providing for the repeal of the five-year water and wastewater impact fee review; providing for the adoption of updated land use assumptions, service areas and capital improvement plans for water and wastewater facilities 2022-2032; providing for amendments to Chapter 13, “Utilities” and Appendix “A”, “Fee Schedule”; providing a cumulative repealer clause; providing for severability; providing for engrossment and enrollment; providing for publication; and providing an effective date.

PL4 Hunt seconded the motion.

No oppositions, no abstentions.

VOTE: The motion to approve carried unanimously: 5-0

ITEM 2. DISCUSSION/ACTION – Consideration of and action on a recommendation from the 2023 Board Review Committee to act on appointments or reappointments to the Ovilla Planning and Zoning Commission.

City Secretary Bobbie Jo Taylor gave a brief overview of the appointed 2023 Board Review Committee and made recommendations to the city council for appointments and reappointments to the Ovilla Planning and Zoning Commission.

PL4 Hunt motioned to make the following appointments to the Ovilla Planning and Zoning Commission.

Place 1	Patrick Gray
Place 3	Gregory Kimble
Place 5	Dani Muckleroy
Place 7	David Hinson

PL5 Piland seconded the motion.

No oppositions, no abstentions.

VOTE: The motion to approve carried unanimously: 5-0

ITEM 3. DISCUSSION/ACTION – Consideration of and action on a recommendation from the 2023 Board Review Committee to act on appointments or reappointments to the Ovilla Economic Development Corporation.

City Secretary Bobbie Jo Taylor gave a brief overview of the appointed 2023 Board Review Committee and made recommendations to the city council for appointments and reappointments to the Ovilla Economic Development Corporation.

PL2 Oberg motioned to make the following appointments to the Ovilla Economic Development Corporation.

Place 2	Bob Betik
Place 4	Lyn Henderson
Place 6	Tana Jimenez

PL4 Hunt seconded the motion.

No oppositions, no abstentions.

VOTE: The motion to approve carried unanimously: 5-0

ITEM 4. DISCUSSION/ACTION – Consideration of and action to accept the resignation of Director William Garner Place 1 from the Economic Development Corporation.

City Secretary Bobbie Jo Taylor explained to the council that during the interviewing and reappointment process by the 2023 Board Review Committee, Director William Garner Place 1 resigned from the

board which created a vacant unexpired term. Ms. Taylor requested that the council accept Mr. Garner's resignation.

PL4 Hunt motioned to accept the resignation of EDC Director Place 1 William Garner.

PL3 Griffin seconded the motion.

No oppositions, no abstentions.

VOTE: The motion to approve carried unanimously: 5-0

ITEM 5. DISCUSSION/ACTION – Consideration of and action on a recommendation from the 2023 Board Review Committee to make an appointment to a one-year unexpired term of Place 1 to the Economic Development Corporation.

City Secretary Bobbie Jo Taylor gave a brief update on the interview process to fill the one-year unexpired term of Place 1 to the Economic Development Corporation. Ms. Taylor requested that the council confirm the recommendation of the 2023 Board Review Committee.

PL5 Piland motioned to appoint Mia Paris to Place 1 of the Ovilla Economic Development Corporation in a one-year unexpired term.

PL2 Oberg seconded the motion.

No oppositions, no abstentions.

VOTE: The motion to approve carried unanimously: 5-0

ITEM 6. DISCUSSION – Discuss potential restrictions for city-owned property located at 708 Main St. (693 J McNamara 1.97 Acres, 693 J McNamara 0.46 Acres, and 693 J McNamara 0.43 Acres).

City Manager David Henley advised the council that he had created some options for restrictions to be put into place upon the sale of the property located at 708 Main St. The council discussed possible ideas for restrictions including the length of time the purchaser of the property would have to submit site plans and building plans.

ITEM 7. 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 E. Scott
 - Administration City Secretary B. Taylor

REQUESTS FOR FUTURE AGENDA ITEMS AND/OR ANNOUNCEMENTS BY COUNCIL AND STAFF:

PL3 Griffin requested that the ordinance relating to fireworks and noise violations be placed on an upcoming agenda for discussion by the council.

ADJOURNMENT:

PL2 Oberg made a motion to adjourn.

PL4 Hunt seconded the motion.

There being no further business, Mayor Pro Tem Case adjourned the meeting at 8:09 p.m.

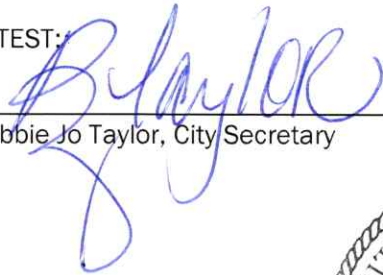
No oppositions, no abstentions.

VOTE: The motion to approve carried unanimously: 5-0



Richard Dormier, Mayor

ATTEST:



Bobbie Jo Taylor, City Secretary

APPROVED: August 14, 2023

