

CITY OF OVILLA MINUTES
Monday, September 11, 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
Dean Oberg	Council Member,	Place 2
Doug Hunt	Council Member,	Place 4
Brad Piland	Council Member,	Place 5

The above-listed council members were in attendance constituting a quorum. Place 3, David Griffin, was absent. The City Manager, City Secretary, department directors, and various staff were also present.

CALL TO ORDER:

PL 2 Oberg led the invocation and PL4 Hunt led the reciting of the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

ANNOUNCEMENTS, PROCLAMATIONS, PRESENTATIONS, COMMENTS:

Mayor Dormier presented a proclamation to Fire Chief Brandon Kennedy declaring September as National Emergency Preparedness Month.

CITIZEN COMMENTS:

Lisa Deese, Meals on Wheels, spoke to the City Council about the needed community support of the Meals on Wheel organization.

PUBLIC HEARINGS

P1 To receive public comment on the fiscal year 2023-2024 City of Ovilla Budget.

A. Public Comment

Mayor Dormier opened the public hearing for comment at 6:40 p.m.

City Manager David Henley gave an overview of the fiscal year 2023-2024 City of Ovilla Budget stating that staff worked to formulate a balanced budget that builds upon the city reserve funds and begins to pay down the long-term debt of the city.

Cheryl Jacobs, 910 Red Oak Creek Dr., spoke against the elimination of a police officer position for the upcoming budget year.

Tana Jimenez, 109 Suburban Dr., requested that the city council remove the Economic Development Director from the proposed budget.

Mayor Dormier closed the public hearing for comment at 6:45 p.m.

- P2 To receive public comment on a tax rate of \$0.626213 per \$100 valuation proposed by the governing body of the City of Ovilla, with a maintenance and operation rate of \$0.535175, and an Interest and Sinking Rate (debt rate) of \$0.091038.

- A. Public Comment
- B.

Mayor Dormier opened the public hearing for comment at 6:45 p.m.

City Manager David Henley provided a brief overview of the tax rate advising that he and city staff are recommending the above-listed tax rate in order to fund the city appropriately during the 2023-2024 budget year.

No citizen comments were made.

Mayor Dormier closed the public hearing for comment at 6:46 p.m.

CONSENT AGENDA:

- C1. Financial Transactions over \$5,000
- C2. Minutes of the Regular Council Meeting August 14, 2023
- C3. 2023-2024 City of Ovilla Holiday Calendar

PL 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 Resolution No. R2023-14, a resolution of the City Council of the City of Ovilla, Texas, approving a Traffic Calming Device Policy that provides for eligibility requirements, cost responsibility, design standards and procedures, procedures for installation, and traffic calming device removal and alteration; and providing an effective date.

Citizen Comments regarding item #1:

Cheryl Jacobs, 910 Red Oak Creek Dr., spoke in support of the traffic calming devices but addressed concerns regarding the administration of the policy.

The following citizens turned in documentation in support of Resolution No. R2023-14 but declined to speak during the citizen forum:

Dale Vaughan, 634 William Dr.
Wendy Vaughan, 634 William Dr.
Robyn Wiley, 623 William Dr.

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

Doug Hunt, Place Four
David Griffin, Place Three
Brad Piland, Place Five

Mike Brouillette, 623 William Dr.
Carol Richtsmeier, 925 Red Oak Creek Dr. – Turned in prior to the city council meeting.

Mayor Dormier addressed concerns brought up by residents specifically the time that any study would take prior to placing traffic calming devices in neighborhoods. Mayor Dormier advised that the city would require studies to be done correctly to ensure that the devices are installed safely within any neighborhood in Ovilla.

PL4 Hunt motioned to approve Resolution No. R2023-14, a resolution of the City Council of the City of Ovilla, Texas, approving a Traffic Calming Device Policy that provides for eligibility requirements, cost responsibility, design standards and procedures, procedures for installation, and traffic calming device removal and alteration; and providing an effective date.

PL2 Oberg 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. 2023-16, an ordinance of the City of Ovilla, Texas, amending Chapter 12, “Traffic and Vehicles,” Article 12.03, Operation of Vehicles,” Division 3, “Stop Intersections,” Section 12.03.73, “Other Stop Intersections” of the Code of Ordinances of the City of Ovilla, Texas, to add stop intersections; providing for the incorporation of premises; providing for amendments; providing a cumulative repealer/savings clause; providing a severability clause; providing a penalty not to exceed \$200.00; providing for engrossment and enrollment and incorporation into the Code of Ordinances; and providing an effective date.

City Manager Henley advised that this ordinance had been drafted at the direction of the council due to concerns from citizens in the Red Oak Creek Neighborhood.

PL2 Oberg motioned to approve Ordinance No. 2023-16, an ordinance of the City of Ovilla, Texas, amending Chapter 12, “Traffic and Vehicles,” Article 12.03, Operation of Vehicles,” Division 3, “Stop Intersections,” Section 12.03.73, “Other Stop Intersections” of the Code of Ordinances of the City of Ovilla, Texas, to add stop intersections; providing for the incorporation of premises; providing for amendments; providing a cumulative repealer/savings clause; providing a severability clause; providing a penalty not to exceed \$200.00; providing for engrossment and enrollment and incorporation into the Code of Ordinances; and providing an effective date.

PL5 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 Ordinance No. 2023-17, an ordinance of the City of Ovilla, Texas adopting the annual budget of the City of Ovilla for the 2023-2024 fiscal year in accordance with state law; providing for the incorporation of premises; providing for the adoption of the budget; providing for the filing of the budget as required by law; providing a cumulative repealer/savings clause; providing a severability clause; providing for engrossment and enrollment; and providing an effective date/record vote.

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

Doug Hunt, Place Four
David Griffin, Place Three
Brad Piland, Place Five

City Manager David Henley presented the Council with the finalized 2023-2024 fiscal year budget that would be adopted with the passing of Ordinance No. 2023-17.

Mayor Dormier advised the Council that action on this item would require a record vote.

PL4 Hunt motioned to approve Ordinance No. 2023-17, an ordinance of the City of Ovilla, Texas adopting the annual budget of the City of Ovilla for the 2023-2024 fiscal year in accordance with state law; providing for the incorporation of premises; providing for the adoption of the budget; providing for the filing of the budget as required by law; providing a cumulative repealer/savings clause; providing a severability clause; providing for engrossment and enrollment; and providing an effective date/record vote.

Mayor Pro Tem Case seconded the motion.

The motion to approve Ordinance No. 2023-17, an ordinance of the City of Ovilla, Texas adopting the annual budget of the City of Ovilla for the 2023-2024 fiscal year, carried with the following record vote:

Place 1 Case Aye
Place 2 Oberg Aye
Place 3 Griffin Absent
Place 4 Hunt Aye
Place 5 Piland Aye

ITEM 4. DISCUSSION/ACTION – Consideration of and action on setting the date, time, and place for the adoption of the proposed ad valorem tax rate.

Mayor Pro Tem Case motioned to set a Public Hearing to be held on Tuesday, September 19, 2023, at 6:00 p.m. for the purpose of adopting the proposed ad valorem tax rate.

PL2 Oberg seconded the motion.

No oppositions, no abstentions.

VOTE: The motion carried unanimously: 4-0

ITEM 5. DISCUSSION/ACTION – Consideration of and action on Resolution No. R2023-15, a resolution of the City Council of the City of Ovilla, Texas, amending Resolution No. R2023-13 to revise the City of Ovilla organizational chart; and providing an effective date.

PL5 Piland motioned to approve Resolution No. Resolution No. R2023-15, a resolution of the City Council of the City of Ovilla, Texas, amending Resolution No. R2023-13 to revise the City of Ovilla organizational chart; 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 6. DISCUSSION/ACTION – Consideration of and action on approving and authorizing a Type B Economic Development Corporation project to fund a scoreboard for the softball field.

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

*Doug Hunt, Place Four
David Griffin, Place Three
Brad Piland, Place Five*

Mayor Pro Tem Case motioned to approve and authorize the Type B Economic Development Corporation project to fund a scoreboard for the softball field.

PL2 Oberg 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 Ordinance No. 2023-18, an ordinance of the City of Ovilla, Texas, amending Chapter 13, “Utilities,” Article 13.03, “Water and Wastewater Services,” Division 2, “Water Service,” Section 13.03.045, “Damaging or Tampering with water meter or endpoint” and Appendix A, “Fee Schedule,” Article A7.000, “Water, Wastewater, Solid Waste and Recycling,” Section A7.010, “Water Meter Fees” of the Code of Ordinances of the City of Ovilla relating to water meter replacement fees; providing for the incorporation of premises; providing amendments; providing a cumulative repealer clause; providing a savings clause; providing a severability clause; providing for engrossment and enrollment and incorporation into the code of ordinances; and providing for an effective date.

PL5 Piland motioned to approve Ordinance No. 2023-18, an ordinance of the City of Ovilla, Texas, amending Chapter 13, “Utilities,” Article 13.03, “Water and Wastewater Services,” Division 2, “Water Service,” Section 13.03.045, “Damaging or Tampering with water meter or endpoint” and Appendix A, “Fee Schedule,” Article A7.000, “Water, Wastewater, Solid Waste and Recycling,” Section A7.010, “Water Meter Fees” of the Code of Ordinances of the City of Ovilla relating to water meter replacement fees; providing for the incorporation of premises; providing amendments; providing a cumulative repealer clause; providing a savings clause; providing a severability clause; providing for engrossment and enrollment and incorporation into the code of ordinances; 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 8. DISCUSSION/ACTION – Consideration of and action on Ordinance No. 2023-19, an ordinance of the City of Ovilla, Texas, amending Appendix A, “Fee Schedule”, Article A7.000, “Water, Wastewater, Solid Waste and Recycling”, Section A7.003, “Water and Wastewater Service Rates and Charges”, Subsection (A), “Monthly Water Rates” of the Code of Ordinances of the City of Ovilla to amend the monthly water rates for residential and nonresidential customers to reflect increased costs from Dallas Water Utilities; providing for the incorporation of premises; providing for amendments; providing a cumulative repealer/savings clause; providing a severability clause; providing for engrossment and enrollment and incorporation into the code of ordinances; and providing an effective date.

City Manager Henley explained to the council that the city had received notice that the rates paid by the city had increased by 15.37% and that in order to balance the budget the increased cost would have to be passed to the customer.

PL4 Hunt motioned to approve Ordinance No. 2023-19, an ordinance of the City of Ovilla, Texas, amending Appendix A, “Fee Schedule”, Article A7.000, “Water, Wastewater, Solid Waste and

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

5

Doug Hunt, Place Four
David Griffin, Place Three
Brad Piland, Place Five

Recycling”, Section A7.003, “Water and Wastewater Service Rates and Charges”, Subsection (A), “Monthly Water Rates” of the Code of Ordinances of the City of Ovilla to amend the monthly water rates for residential and nonresidential customers to reflect increased costs from Dallas Water Utilities; providing for the incorporation of premises; providing for amendments; providing a cumulative repealer/savings clause; providing a severability clause; providing for engrossment and enrollment and incorporation into the code of ordinances; 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 9. DISCUSSION/ACTION – Consideration of and action on Ordinance No. 2023-20, an ordinance of the City of Ovilla, Texas, adopting the City of Ovilla Thoroughfare Standards, dated May 12, 2014; providing for the incorporation of premises; providing a cumulative repealer clause; providing a savings clause; providing a severability clause; providing for a penalty; and providing for an effective date.

City Manager Henley advised that due to the 2023 legislative session, several ordinances would be required to be updated to reflect the changes.

PL5 Piland motion to approve Ordinance No. 2023-20, an ordinance of the City of Ovilla, Texas, adopting the City of Ovilla Thoroughfare Standards, dated May 12, 2014; providing for the incorporation of premises; providing a cumulative repealer clause; providing a savings clause; providing a severability clause; providing for a penalty; and providing for an effective date.

Mayor Pro Tem Case seconded the motion.

No oppositions, no abstentions.

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

ITEM 10. DISCUSSION/ACTION – Consideration of and action on Ordinance No. 2023-21, an ordinance of the City of Ovilla, Texas, adopting the City of Ovilla, Texas, manual for the design of storm drainage systems, dated August 1998; providing for the incorporation of premises; providing a cumulative repealer clause; providing a savings clause; providing a severability clause; providing for a penalty; and providing for an effective date.

City Manager Henley advised this ordinance also needed to be updated due to new legal requirements.

PL5 Piland motioned to approve Ordinance No. 2023-21, an ordinance of the City of Ovilla, Texas, adopting the City of Ovilla, Texas, manual for the design of storm drainage systems, dated August 1998; providing for the incorporation of premises; providing a cumulative repealer clause; providing a savings clause; providing a severability clause; providing for a penalty; and providing for an effective date.

Mayor Pro Tem Case seconded the motion.

No oppositions, no abstentions.

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

ITEM 11. DISCUSSION/ACTION – Consideration of and action on an interlocal agreement providing emergency services to Emergency Service District #2.

City Manager Henley requested that Item 11 consideration of an interlocal agreement for Emergency Service District #2 be tabled until October 19, 2023.

Mayor Pro Tem Case motioned to table consideration of and action on an interlocal agreement providing emergency services to Emergency Service District #2 until October 19, 2023.

PL4 Hunt seconded the motion.

No oppositions, no abstentions.

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

ITEM 12. DISCUSSION/ACTION – Consideration of and action on an interlocal agreement providing emergency services to Emergency Service District #4.

City Manager Henley requested that Item 12 consideration of an interlocal agreement for Emergency Service District #4 be tabled until October 19, 2023.

Mayor Pro Tem Case motioned to table consideration of and action on an interlocal agreement providing emergency services to Emergency Service District #2 until October 19, 2023.

PL2 Oberg seconded the motion.

No oppositions, no abstentions.

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

ITEM 13. DISCUSSION/ACTION – Consideration of and action on terminating a contract for wireless cellular services with Verizon Wireless.

Fire Chief Brandon Kennedy advised the council that the city has been having issues with Verizon Wireless relating to cellular services. Chief Kennedy stated that Verizon Wireless had tried to accommodate the city by placing a miniature tower in the attic of the fire station but unfortunately, the cellular issues remain unresolved.

PL2 Oberg motioned to terminate a contract for wireless cellular services with Verizon Wireless.

Mayor Pro Tem Case seconded the motion.

No oppositions, no abstentions.

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

ITEM 14. DISCUSSION/ACTION – Consideration of and action awarding a contract for wireless cellular services to AT&T Mobility

Chief Kennedy requested that due to the cellular services with Verizon Wireless not being an option the council allow the city to enter into a contract for wireless cellular services with AT&T Mobility which has been tested by the Police and Fire Departments.

Mayor Pro Tem Case motioned to approve action on awarding a contract for wireless cellular services to AT&T Mobility.

PL4 Hunt seconded the motion.

No oppositions, no abstentions.

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

ITEM 15. DISCUSSION/ACTION – Consideration and action on Ordinance 2023-22 an ordinance of the City of Ovilla, Texas, amending Appendix A, “Fee Schedule,” Article A8.000, “Development Fees,” Section A8.004, “Subdivision Fees” of the Code of Ordinances of the City of Ovilla to amend fees for engineering or construction plans and inspections of utilities and infrastructure to comply with H.B. No. 3492; providing for the incorporation of premises; providing for amendments; providing a cumulative repealer/savings clause; providing a severability clause; providing for engrossment and enrollment and incorporation into the code of ordinances; and providing an effective date.

The Council discussed Ordinance 2023-22 including what could be charged by the city if an employee, such as the construction manager were to review engineering or construction plans. Mayor Dormier requested that the item be tabled until a time city staff could review the ordinance and make updates as needed.

PL4 Hunt motion to table Ordinance 2023-22 an ordinance of the City of Ovilla, Texas, amending Appendix A, “Fee Schedule,” Article A8.000, “Development Fees,” Section A8.004, “Subdivision Fees” of the Code of Ordinances of the City of Ovilla to amend fees for engineering or construction plans and inspections of utilities and infrastructure to comply with H.B. No. 3492; providing for the incorporation of premises; providing for amendments; providing a cumulative repealer/savings clause; providing a severability clause; providing for engrossment and enrollment, and incorporation into the code of ordinances; and providing an effective date until September 19, 2023.

PL2 Oberg seconded the motion.

No oppositions, no abstentions.

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

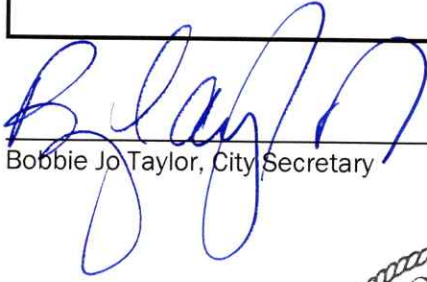
ITEM 16. DISCUSSION – Discussion relating to downtown sidewalks and street lighting as requested by Mayor Dormier.

The Council discussed the sidewalks in the downtown area and lighting projects in the area.

ITEM 17. DISCUSSION – Discussion relating to Ovilla Code of Ordinances Article 8.03 Noise and Article 8.04 Fireworks as requested by Place 2 Oberg and Place 4 Hunt.

City Manager Henley advised that the city attorney has stated that a fine should not be adopted by the fee schedule because it creates a separation of power legal issue. Mr. Henley advised that the city judge sets the fine.

ITEM 18. DISCUSSION – Discuss progress and receive updates on activities related to the 2023 Heritage Day celebration, to be held on Saturday, September 23, 2023.



Bobbie Jo Taylor, City Secretary

APPROVED: October 10, 2023

