

**CITY OF OVILLA MINUTES**  
**Tuesday, September 19, 2023**  
**Special 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 6:00 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 noted absent. The City Manager, Planning and Development Coordinator, and various staff were also present.

**CALL TO ORDER:**

PL2 Oberg led the invocation and PL 4 Hunt led the reciting of the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

**CITIZEN COMMENTS:**

John Jenkins, 106 Brookwood Court, addressed the council with concerns that the city is not following ordinances that are currently in place, needed website updates, and the necessity of a bicycle rack to be installed at city hall.

**REGULAR AGENDA:**

**ITEM 1. DISCUSSION/ACTION** – Consideration of and action on Ordinance No. 2023-23, an ordinance of the City of Ovilla, Texas levying and adopting an ad valorem property tax rate for tax year 2023 at the rate of \$0.626213 per one hundred dollars assessed valuation of all taxable property within the corporate limits of the city to provide revenues for current expenses, interest and sinking fund requirements, and maintenance and operations, in accordance with state law; providing for the incorporation of premises; providing for the adoption of tax rate; providing due and delinquent dates, interest and penalties; providing enforcement; providing a cumulative repealer clause; providing a severability clause; providing for engrossment and enrollment; and providing an effective date and record vote.

PL4 Hunt moved that the property tax rate be increased by the adoption of a tax rate of \$0.626213 per one hundred dollars, which is effectively a 2.84 percent increase in the tax rate by adopting Ordinance No. 2023-23, an ordinance of the City of Ovilla, Texas levying and adopting an ad valorem property tax rate for tax year 2023 at the rate of \$0.626213 per one hundred dollars assessed valuation of all taxable property within the corporate limits of the city to provide revenues for current expenses, interest and sinking fund requirements, and maintenance and operations, in accordance with state law; providing for the incorporation of premises; providing for the adoption of tax rate; providing due and delinquent dates, interest and penalties; providing enforcement; providing a

cumulative repealer clause; providing a severability clause; providing for engrossment and enrollment; and providing an effective date and record vote.

Mayor Pro Tem Case seconded the motion.

**The motion to approve the property tax rate to be increased by the adoption of a tax rate of \$0.626213 per one hundred dollars, which is effectively a 2.84 percent increase in the tax rate by adopting Ordinance No. 2023-23 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 2. DISCUSSION/ACTION** – Consideration of and action on Resolution No. R2023-16, a resolution of the City Council of the City of Ovilla, Texas ratifying the property tax increase reflected in the Fiscal Year 2023-2024 Annual Budget and acknowledging that the budget will require raising more revenue from property taxes than in the previous fiscal year; and providing an effective date.

City Manager Henley advised that Section 102.007(C) of the Local Government Code advises that the city council must take a separate ratification vote to adopt any budget that raises the total property tax revenue. The City Manager stated that the city is not increasing the tax rate.

Mayor Pro Tem Case motioned to approve Resolution No. R2023-16, a resolution of the City Council of the City of Ovilla, Texas ratifying the property tax increase reflected in the Fiscal Year 2023-2024 Annual Budget and acknowledging that the budget will require raising more revenue from property taxes than in the previous fiscal year; and providing an effective date.

PL2 Oberg 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. 2023-24, an ordinance of the City Council of the City of Ovilla, Texas, amending Ordinance No. 2022-15 and Ordinance No. 2023-09; providing for budget amendments to the Fiscal Year 2022-2023 Annual Budget and program of services; providing for budget amendments to the general fund, water and utilities fund, Type B Economic Development Corporation fund and other funds of the city; providing for the incorporation of premises; providing a cumulative repealer clause; providing for severability; providing a savings clause; providing for engrossment and enrollment; providing a publication clause; and providing an effective date.

City Manager David Henley presented the Council with the year-end budget amendments for the 2023-24 fiscal budget year. Mr. Henley advised that year-end amendments show that the departments have been very responsible with citizen funds and city revenues had exceeded expectations for the year.

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

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

PL5 Piland motioned to approve Ordinance No. 2023-24, an ordinance of the City Council of the City of Ovilla, Texas, amending Ordinance No. 2022-15 and Ordinance No. 2023-09; providing for budget amendments to the Fiscal Year 2022-2023 Annual Budget and program of services; providing for budget amendments to the general fund, water and utilities fund, Type B Economic Development Corporation fund and other funds of the city; providing for the incorporation of premises; providing a cumulative repealer clause; providing for severability; providing a savings clause; providing for engrossment and enrollment; providing a publication clause; 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 4. DISCUSSION/ACTION** – Consideration of and action on Ordinance No. 2023-25, an ordinance of the City Council of the City of Ovilla, Texas, amending the Code of Ordinances of the City of Ovilla, in Chapter 3, “Building Regulations”, Article 3.04.001, “Flood Damage Prevention Regulations”, by repealing Article 3.04.001 in its entirety and replacing it with a new Article 3.04.001, “Flood Damage Prevention Regulations”; providing an incorporation of premises; 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; providing a penalty clause; providing for publication; and an effective date.

City Manager Henley advised that Ordinance No. 2023-25 is a result of the 2023 Legislature and allows the city to adopt regulations designed to minimize flood losses.

PL4 Hunt motioned to approve Ordinance No. 2023-25, an ordinance of the City Council of the City of Ovilla, Texas, amending the Code of Ordinances of the City of Ovilla, in Chapter 3, “Building Regulations”, Article 3.04.001, “Flood Damage Prevention Regulations”, by repealing Article 3.04.001 in its entirety and replacing it with a new Article 3.04.001, “Flood Damage Prevention Regulations”; providing an incorporation of premises; 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; providing a penalty clause; providing for publication; and an effective date.

PL5 Piland seconded the motion.

No oppositions, no abstentions.

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

**ITEM 5. DISCUSSION/ACTION** – Consideration of and action on Ordinance No. 2023-25, 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 effect date.

*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 Henley advised that Ordinance No. 2023-25 was tabled at the previous meeting due to concerns regarding the ability to charge a fee for staff time used to review plans. Mr. Henley was able to confirm that the ordinance does allow for staff time to be charged at the same rate as the third-party vendors.

PL4 Hunt motioned to approve Ordinance No. 2023-25, 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 effect 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 an Interlocal Agreement providing emergency services to Emergency Service District #2.

Staff presented an interlocal agreement between the city and Emergency Service District #2. Staff advised that the contract is mutually beneficial to the city as well as the district and would be in effect until September 30, 2024.

Mayor Pro Tem Case motioned to approve an Interlocal Agreement providing emergency services to Emergency Service District #2.

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 an Interlocal Agreement providing emergency services to Emergency Service District #4.

Staff presented an interlocal agreement between the city and Emergency Service District #4. Staff advised that the contract is mutually beneficial to the city as well as the district and would be in effect until September 30, 2024.

PL2 Oberg motioned to approve an Interlocal Agreement providing emergency services to Emergency Service District #4.

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

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

**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,

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

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

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).

No Executive Session

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

- Mayor Dormier requested an agenda item be placed on the next agenda to address citizen concerns related to power outages.

**ADJOURNMENT:**

PL4 Hunt made a motion to adjourn.

PL2 Oberg seconded the motion.

There being no further business, Mayor Dormier adjourned the meeting at 6:24 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: October 10, 2023



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

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