

CITY OF OVILLA MINUTES

Monday, December 12, 2016

City Council Briefing Session

105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Dormier called the Council Briefing Session of the Ovilla City Council to order at 6:00 p.m., with notice of the meeting duly posted. Mayor Dormier made the following public announcement asking all individuals to be cognizant of the two signs at the entrance to the Council Chamber room referencing Sections 30.06 and 30.07 of the *Penal Code, persons licensed under Subchapter H, Chapter 411, Government Code may not enter this property with a concealed handgun nor enter this property with a handgun that is carried openly.*

The following City Council Members were present:

| | |
|-----------------|-------------------------|
| Rachel Huber | Council Member, Place 1 |
| Larry Stevenson | Council Member, Place 2 |
| David Griffin | Mayor Pro Tem, Place 3, |
| Doug Hunt | Council Member, Place 4 |
| Michael Myers | Council Member, Place 5 |

Mayor Dormier announced all Council members were present, thus constituting a quorum. Various department directors and staff were also present. Staff presented Council with future agenda items and/or pending items still under staff review.

CALL TO ORDER

CONDUCT A BRIEFING SESSION to review and discuss agenda items for the 6:30 p.m. regular meeting.

Council, Mr. Burn and staff reviewed each item on the agenda. There were no questions or requests for discussion.

ADJOURNMENT

Mayor Dormier adjourned the Briefing Session of the Ovilla City Council at 6:04 p.m.

ATTEST:



Pamela Woodall, City Secretary



Richard A. Dormier, Mayor

Approved January 09, 2017

CITY OF OVILLA MINUTES

Monday, December 12, 2016

Regular City Council Meeting

105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Dormier called the Regular Council Meeting of the Ovilla City Council to order at 6:30 p.m., with notice of the meeting duly posted. Mayor Dormier made the following public announcement asking all individuals to be cognizant of the two signs at the entrance to the Council Chamber room referencing Sections 30.06 and 30.07 of the *Penal Code, persons licensed under Subchapter H, Chapter 411, Government Code may not enter this property with a concealed handgun nor enter this property with a handgun that is carried openly.*

The following City Council Members were present:

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| Rachel Huber | Council Member, Place 1 |
| Larry Stevenson | Council Member, Place 2 |
| David Griffin | Mayor Pro Tem, Place 3 |
| Doug Hunt | Council Member, Place 4 |
| Michael Myers | Council Member, Place 5 |

Mayor Dormier announced that all Council members were present, thus constituting a quorum. City Manager Dennis Burn, various department directors and staff were also present.

CALL TO ORDER

PL5 Myers gave the Invocation and PL1 Huber led the recitation of the Pledge of Allegiance.

COMMENTS, PRESENTATIONS & REPORTS

Citizen Comments

1. Mr. Pat Cox - 3710 Shiloh Trail - An extraterritorial jurisdiction (ETJ) resident voiced concern with Shiloh Forest Estates being annexed by Midlothian vs. Ovilla.
2. Ms. Dani Muckleroy - 608 Green Meadow Lane - Noted the speed limit on Westmoreland to be 30 mph. She asked Council's consideration to increase the speed limit to 35 mph on that road.

Department Activity Reports / Discussion

Police Department

Monthly Report was reviewed.

Police Chief B. Windham

Fire Department

Monthly Report was reviewed.

Fire Asst. Chief K. Lindsey

Public Works

Monthly Report was reviewed.

Public Works Director B. Piland

1. Monthly Park Maintenance sheets were reviewed.

Finance Department reports were reviewed:

City Manager D. Burn

1. October 2016 Financials.

2. Bank balances as of December 5, 2016.

3. Updated Council that audit is coming soon.

4. Heritage Day detail report as of October 4, 2016 was shared.

Administration

City Manager D. Burn

City Manager Reports

1. Council requested that the Emergency Services District #4 provide the City a letter guaranteeing full payment to the City as stated in the contract.

Monthly Municipal Court Report was reviewed.

City Manager D. Burn

Monthly Code/Animal Control Reports were reviewed.

Code/AC Officer M. Dooly

CONSENT AGENDA

C1. October 2016 Financial Transactions over \$5,000

PL4 Hunt moved to approve the consent items as presented, seconded by PL2 Stevenson.

No oppositions, no abstentions.

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

REGULAR AGENDA

ITEM 1. ***DISCUSSION/ACTION*** – Receive recommendation from the Planning and Zoning Commission Advisory Committee for the consideration of and action on setting a public hearing date of the City Council for the update of the City of Ovilla Land Use Assumptions and Water and Wastewater Impact Fee and Capital Improvement Plan.

The City Council received a recommendation from the Planning & Zoning Advisory Committee to discuss setting the City Council's regular meeting date of February 13, 2017, as the proposed date for the Public Hearing for the update of the Land Use Assumptions and Water and Wastewater Impact Fee and Capital Improvement Plan.

Mayor Pro Tem Griffin moved to approve the discussed date of February 13, 2017 Regular Council Meeting, for the Public Hearing for the update of the Land Use Assumption and Water & Wastewater Impact Fee and Capital Improvement Plan, seconded by PL1 Huber.

No oppositions, no abstentions.

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

ITEM 2. ***DISCUSSION/ACTION*** – Consideration of and action on a proposed rate change for the fee to be charged by Progressive Waste Management for monthly residential solid waste collection as provided for in the contract between Progressive Waste Management and the City of Ovilla.

Representative Jimmy Vines with Progressive Waste Management was in attendance to answer questions from Council. After much discussion on the proposed rate increase from \$13 to \$13.26 per month, per resident, the Council's consensus was in agreement to the increase. This increase was based on a 2.03% CPI (Consumer Price Index) and fuel rate adjustment as allowed in the contract. The City will absorb this increase and not pass it onto the customer.

PL2 Stevenson moved to approve the change in fee to be charged by Progressive Waste Management for monthly residential solid waste collection as provided for in the contract agreement between the City of Ovilla and Progressive Waste Management, seconded by PL5 Myers.

No oppositions, no abstentions.

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

ITEM 3. ***DISCUSSION*** – Review and discuss the Master Contract Plan between the City of Ovilla and Bureau Veritas and direct staff as necessary.

Certain members of Council were interested in the logistics of the permit process, especially the tracking/logging from the initial request of the permit, to all inspections that take place throughout the process of building. There were many suggestions made for specific wording to add to the permit applications.

No Action, discussion only.

ITEM 4. ***DISCUSSION/ACTION*** – Consideration of and action on Resolution R2016-10 of the City Council of the City of Ovilla, Texas, adopting the publication of the United States Consumer Product Safety Commission entitled *Public Playground Safety Handbook* and providing an effective date.

Mr. Burn reiterated that this Resolution was brought before the Council at the August 08, 2016 meeting, where Council took no action.

Mayor Pro Tem Griffin moved that Council approve the Resolution R2016-10 and adopt the publication of the United States Consumer Product Safety Commission entitled *Public Playground Safety Handbook* and providing an effective date as presented, seconded by PL2 Stevenson.

No oppositions, no abstentions.

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

ITEM 5. DISCUSSION/ACTION – Consideration of and action on the adoption of Ordinance No. 2016-21; repealing Ordinance No. 2016-19, and approving and establishing a new official newspaper of the City of Ovilla, Texas.

During the Regular Council meeting of October 11, 2016, Council approved Ordinance 2016-19, adopting the Waxahachie Daily Light as the City's official newspaper. Mr. Burn stated that staff was asked to bring this item back to reconsider the adoption of an official newspaper of the City due to two Council members being absent at the October Council meeting. There was discussion of two newspapers; The Red Oak Record and the Waxahachie Daily Light, each being considered. Discussion included meeting the legal notice deadlines, the distribution of paper to all of Ovilla's citizens and doing so in a timely manner, and the overall circulation of each newspaper.

PL4 Hunt moved to approve the adoption of Ordinance No. 2016-21; repealing Ordinance No. 2016-19, and approving and establishing a new official newspaper of the City of Ovilla as the Red Oak Record, and establishing an effective date of January 1, 2017, seconded by PL5 Myers. PL2 Stevenson opposed.

One opposition, no abstentions.

VOTE: The motion to approve carried: 4-1.

ITEM 6. DISCUSSION/ACTION – Consideration of any item(s) pulled from the Consent Agenda above for individual consideration and action.

No action.

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).

Mayor Dormier announced that at 8:12 pm, Mayor, Council and City Manager Dennis Burn would meet in Executive Session for discussion and consideration pursuant to §551.072 of the Texas Government Code.

ITEM 7. DISCUSSION/ACTION – Closed session called pursuant to §551.072 of the Texas Government Code to deliberate the purchase, exchange, lease, or value of real property.

Council reconvened into open session at 8:25 pm.

No action was taken.

REQUESTS FOR FUTURE AGENDA ITEMS AND/OR ANNOUNCEMENTS

| | |
|------------------|------|
| 1. Mayor Dormier | None |
| 2. PL1 Huber | None |
| 3. PL2 Stevenson | None |
| 4. PL3 Griffin | None |
| 5. PL4 Hunt | None |
| 6. PL5 Myers | None |
| 7. City Manager | None |

ADJOURNMENT

PL2 Stevenson moved to adjourn the December 12, 2016 Council Meeting, seconded by Mayor Pro Tem Griffin. There being no further business, Mayor Dormier adjourned the meeting at 8:25 p.m.

ATTEST:


Pamela Woodall, City Secretary

Executive Session filed separately.




Richard Dormier, Mayor


Approved January 09, 2017