

# CITY OF OVILLA MINUTES

**Monday, May 08, 2017**

**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 6:02 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 that all Council members were present, thus constituting a quorum. Various department directors, City Attorney Ron G. MacFarlane, Jr., and staff were also present.

## CALL TO ORDER

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

Mayor Dormier, Council, Mr. Burn and staff reviewed each item on the agenda.

## ADJOURNMENT

Mayor Dormier adjourned the Briefing Session of the Ovilla City Council at 6:10 p.m.

ATTEST:

  
Pamela Woodall, City Secretary



Richard A. Dormier, Mayor

**Approved June 12, 2017**

# CITY OF OVILLA MINUTES

**Monday, May 08, 2017**

**Regular City Council Meeting**

**105 S. Cockrell Hill Road, Ovilla, TX 75154**

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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*.

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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
Michael Myers	Council Member, Place 5
Doug Hunt	Council Member, Place 4

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

## CALL TO ORDER

Mayor Pro Tem PL3 Griffin gave the Invocation and PL1 Huber led the recitation of the Pledge of Allegiance.

## EXECUTIVE SESSION

At 6:40 p.m., Mayor Dormier stated that City Attorney Ron G. MacFarlane, Jr. and the governing body (including the city manager and city secretary) would convene into a closed meeting called pursuant to the following agenda items:

- ITEM 1. **DISCUSSION/ACTION** – Closed meeting called pursuant to Section §551.074 of the Texas Government Code to deliberate the appointment of an Interim City Manager.
  
- ITEM 2. **DISCUSSION/ACTION** – Closed session pursuant to Section §551.071 of the Texas Government Code: Consultation with City Attorney on matters in which the duty of the attorney under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with the Texas Open Meetings Act.

At 7:36 p.m., Mayor Dormier, City Attorney Ron G. MacFarlane, Jr., Council, City Manager Dennis Burn and City Secretary Pam Woodall reconvened into Regular Session. No action was taken in Executive Session. There was no motion, no action on Agenda Items 1 and 2 in Regular Session.

## COMMENTS, PRESENTATIONS & REPORTS

1. The Service League presented the Police Department the results from the Annual Spaghetti Dinner, announcing the best year yet totaling \$21,000 to benefit the needs of the department.
2. Presiding Judge Charlie Morton gave the unofficial results of the May 06, 2017 General Election:  
Total of 403 Ballots: Mayor (Richard Dormier) and PL4 Council (Doug Hunt) positions were unopposed. Vote count for PL2 Council was Incumbent Larry Stevenson 158 and Dean Oberg 243. Official results will be given at the canvass – Special Meeting set for Friday, May 12.

3. Mayor Dormier pulled the proclamations from the regular order of the agenda to be read at the end of the meeting.

#### Citizen Comments

- Ms. Mary Cavanaugh, President of the Ashburne Glen residential subdivision spoke on behalf of the Home Owner's Association (HOA), requesting the City's continued participation in the collection and disbursements of HOA dues.

#### PUBLIC HEARING AND DISCUSSION

A presentation was given by City Manager Dennis Burn and Birkhoff, Hendricks & Carter, LLP representative, Andrew Mata. The Planning and Zoning Advisory Committee met twice for the review of the Land Use Assumptions, Capital Improvements Projects and Impact Fees and forwarded their recommendations to Council to consider approval and adoption of Ordinance 2017-05, updating the Water and Wastewater Impact Fees.

Mayor Dormier opened the public hearing at 7:51 p.m.

- **PUBLIC HEARING** to receive comments from the public regarding the update of the Water and Wastewater Impact Fees.

There was no one to speak in favor or in opposition of the presented update.

Mayor Dormier closed the public hearing at 7:52 p.m.

#### CONSENT AGENDA

- C1. March 2017 Financial Transactions over \$5,000
- C2. Committed Fund Balance ending March 31, 2017
- C3. Quarterly Investment Report through March 31, 2017
- C4. Atmos Settlement Resolution R2017-13

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

*No oppositions, no abstentions.*

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

#### REGULAR AGENDA

ITEM 3. **DISCUSSION/ACTION** – Consideration of and action ORDINANCE 2017-05 of the City of Ovilla, Texas, amending Appendix A “Fee Schedule” Section A7.009 “Impact Fees” of the City of Ovilla Code of Ordinances, providing amended water and wastewater impact fees; 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.

Staff provided background: Water and Wastewater (Sewer) Impact Fees are an assessment imposed by a political subdivision against new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to new development. Any developer seeking a building permit for a new development (residential or commercial) that will generate additional use of utility resources will be responsible for paying Impact Fees. Texas Local Government Code Chapter 395.054 provides for the process to review and amend the Impact Fees adopted by City Council.

The City Council authorized in June 2016, the Planning and Zoning Commission to act as the Advisory Committee and again in November 2016 for the replacement of an ad-hoc member. The Committee's purpose was to review and advise the governmental body of the need to update or revise the Impact Fees.

The City's engineering firm, Birkhoff, Hendricks, and Carter updated the eligible capital costs and calculated the 2017 Maximum Allowable Impact Fee for water and for wastewater, including the update of the Water Distribution System Capital Improvement Plan for 2016-2026. Based on the report prepared and submitted by Birkhoff, Hendricks and Carter, LLP, the Advisory Committee met on Monday, March 06, 2017 and moved to recommend that the City Council consider amending the total water and wastewater impact fees per service unit for a 3/4-inch water meter as listed:

- Maximum Allowable Water Impact Fee - \$2,106.97
  - Current Maximum Water Impact - \$3,311 – adopted \$2100 Ord. 2015-004, 01/12/15
- Maximum Allowable Wastewater Impact Fee - \$2,190.22
  - Current Maximum Wastewater Impact - \$1441 – adopted \$1400 Ord. 2015-004, 01/12/15

The Advisory Committee's comments were made available in a report to the public prior to the public hearing. During the March 13, 2017 Council meeting, staff was directed to schedule the public hearing and prepare an ordinance for final consideration of the update of the Water and Wastewater Impact Fees.

PL4 Hunt moved to approve ORDINANCE 2017-05 amending Appendix A "Fee Schedule" Section A7.009 "Impact Fees" of the City of Ovilla Code of Ordinances, providing amended water and wastewater impact fees; 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, seconded by PL2 Stevenson.

*No oppositions, no abstentions.*

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

**ITEM 4. DISCUSSION/ACTION** –Receive presentations from representatives from BAT Security and Technology & Beyond to consider approval of a security system for city municipal buildings and for the purpose of enacting an "exchange zone" at the Ovilla Police Department, including the expense in the mid-year budget revision.

During the February 13 Council meeting, staff addressed the opportunity of using the Ovilla Police Department as an area for an "internet exchange zone" for those purchasing and trading goods through the internet. Staff was asked to return with representative from the City's tech company and the preferred listed vendor for the security system.

Mr. Jeff Hughes with B.A.T. Security gave a presentation, indicating the installation of cameras would come in three phases:

1. Security cameras for the Exchange Zone.
2. Interview camera inside the police station.
3. Security cameras installed at various locations at the remaining municipal buildings.

Cost for the cameras and installation was \$22,000.

No Action.

**ITEM 5. DISCUSSION** – Review and discuss with a Technology & Beyond representative Ovilla's current and future technology and computer inventory needs.

Technology and Beyond representative and Chief Operating Officer Mike Maendler was present to discuss future technical and computer needs for efficient, up-to-date and professional operation of city offices.

Some background was shared:

The City entered into an agreement with Technology & Beyond (T&B) on August 06, 2015 for assistance with IT needs, presenting staff with immediate necessary upgrades and initial planning for the city's technical needs. At this time, however, Ovilla does not have an IT agreement with T&B for professional assistance. (It has since expired)

To date T&B has provided the listed services:

1. Computer issues and service support needs
2. Installed new pc's in certain departments
3. Assisted telephone company provider in the transfer to fiber optics
4. Facilitated the replacement of the poor line condition to the PD
5. Installed laptops for the PD and FD and facilitated installation of booster/antenna for each vehicle.
6. Installed a CRIMES protective cabinet at the Water Tower
7. Replaced a CRIMES server
8. February 2017, Technology & Beyond removed city emails from the server and began hosting them.

T&B gave recommended upgrades not yet funded or provided. Mayor Pro Tem Griffin requested a dated plan for improved technology as well as better response times/customer service to staff. PL4 Hunt stated he believed the city should receive bids if the cost continued to increase.

No Action.

**ITEM 6. DISCUSSION/ACTION** – Consideration of and action on City Attorney's recommendation to not renew agreements for the collection and disbursement of Home Owner Association (HOA) dues.

Mayor Dormier, PL2 Stevenson and PL5 Myers recused themselves from discussion on this item. Mayor Pro Tem Griffin managed the item reviewing the following information with Council.

Article III, Section 52 of the Texas Constitution prohibits cities from lending credit, granting public money *or thing of value* in aid of, or to any individual, association or corporation. Although the City may receive a fee for the collection of HOA dues, such fact gets around the constitutional prohibition under a three-part test used by the Texas Supreme Court to determine whether a payment violates Article III, Section 52:

- a. The purpose of the payment (or lending or granting a thing of value) must accomplish a public purpose, not benefit and private party;
- b. The city must retain public control over the funds or thing of value to ensure the public (not private) purpose is accomplished; and
- c. The city must ensure that it receives return benefit.

The current arrangement does not pass parts 1 and 2 of the three-part test.

- a. Under Texas law, according to the Texas Attorney General, any fee attached to a utility bill by a general law city, which is not used to cover the expenses of providing the utility service for which customers are billed, is an unauthorized tax.

Mayor Pro Tem Griffin suggested that Council take no action until they received an opinion from the Attorney General's office.

Mayor Pro Tem Griffin moved to seek an opinion from the Attorney General's office before making a decision, seconded by PL1 Huber.

*No oppositions. PL2 Stevenson and PL5 Myers abstained.*

***VOTE: The motion to approve carried: 3-0.***

*Richard Dormier, Mayor  
Rachel Huber, Place One  
Larry Stevenson, Place Two*

*Doug Hunt, Place Four  
David Griffin, Place Three  
Michael Myers, Place Five*

ITEM 7. **DISCUSSION/ACTION** – Consideration of and action on ORDINANCE 2017-06 of the City of Ovilla, TX, amending the Fiscal Year 2016-2017 Annual Budget and Program of Services in accordance with the Mid-Year Budget Review and Amendment as part of the formal budget process.

Chapter 1, Article 1.05, Sec. 1.05.038 Mid-year review and amendment of the Ovilla Code of Ordinances states:

Each year the budget officer or his designee shall present to the city council a mid-year budget review and amendment to be considered and approved before May 31. Such review and amendment will include information on the status of all funds and line items at the fiscal year's midway point and will include any recommended amendments to the annual budget. The amended budget will be filed with the city secretary's office and with the county clerk's office.

The annual mid-year review of revenues and expenses was completed with staff for the current fiscal year as well as a review of estimated amounts for the remainder of the fiscal year. Budget amendments were prepared based on the mid-year review. The budget amendments included the line item adjustments to the General Fund, Water & Sewer Fund, and Debt Service Fund. Staff submitted to Council a detailed Mid-Year Budget Review and a Summary Report of all revised items for an A option or a B option.

A and B Mid-Year proposed budgets have one 2-line item differences which are added to the B Mid-Year listed:

\$414,000 Increase in Street Infrastructure (Ovilla Oaks Drive)

\$414,000 Increase in Reduction of Fund Balance.

The improvements to Ovilla Oaks Drive (from FM 664 to East Highland) will consist of the following:

1. Reclaiming of the existing road surface -
2. Application of cement slurry -
3. Installation of 2 inch HMAC pavement -
4. Edge striping and centerline markers -
5. Testing

A - Mid-Year Budget Review included an overall increase in Expense of \$253,915. The expense will be offset by reduction of fund balance of \$112,484 in General Fund and additional revenue of \$141,431. Of the \$141,431 Reserve for Contingency will increase \$32,617.

Water and Sewer Fund and the Debt Service Fund will have line item changes only.

B - Mid-Year Budget Review included an overall increase in Expense of \$667,915. The expense will be offset by reduction of fund balance of \$526,484 in General Fund and additional revenue of \$141,431. Of the \$141,431 Reserve for Contingency will increase \$32,617.

Water and Sewer Fund and the Debt Service Fund will have line item changes only.

Council directed staff to add \$22,000 for the expense of an exchange zone and to include repairs to streets and ditches/culverts in Brookwood Addition (Silverwood, Shadowwood) and return with an updated Mid-Year Budget Review at the next meeting for consideration.

No Action.

Mayor Dormier called a 5-minute recess at 9:30 pm. Mayor Dormier called the meeting back into session at 9:35 p.m.

ITEM 8. **DISCUSSION/ACTION** – Consideration of and action declaring surplus property and authorizing sale of surplus item(s), determining the method.

Staff submitted two items of operable and possibly inoperable property (vehicles) for Council to consider declaring as surplus. Assets valued at over \$2,000.00 are to be disposed by a method approved by City Council.

1. POLICE: 2008 Ford Expedition Police vehicle

- a. The 2008 Ford Expedition Police Vehicle has been replaced in the police fleet. Operationally, it is not sound and it has over 100k miles. It has been stripped of equipment and should be sold at auction.

2. FIRE: 2011 Ford F-750 Brush Truck

- b. Chief Kennedy advised this particular truck was too heavy/too large for Ovilla. It had been sitting for 5-years.

Certain members of the Council voiced questioning opinions and opposition regarding the Fire Truck's use and the need to sell.

Mayor Pro Tem Griffin moved to approve the declaration of the 2008 Police Ford Expedition and the 2011 Fire Ford F-750 Brush Truck 702 as surplus items, authorizing sale of both vehicles; and authorizing the following -

- 1. Method of Sale for the 2008 Police Ford Expedition: auctioned
- 2. Method of Sale for the 2011 Ford F-750 Brush Truck: formal bidding process through Brindlee Mountain.

Motion seconded by PL1 Huber.

*PL4 Hunt and PL5 Myers opposed. No abstention.*

**VOTE: The motion to approve carried: 3 in favor, 2 opposed.**

**ITEM 9. DISCUSSION/ACTION** – Consideration of and action on volunteer board appointments and/or reappointments to serve a term on the Board of Adjustment and direct staff as necessary.

An annual board activity report was reviewed.

Chapter 14, Section 45.2 TERMS OF OFFICE were defined:

A. Terms. Each member shall serve a term of office of two years. After the expiration of a two year term of office, a member shall serve until a successor is appointed. The terms of three of the members shall expire on the first Monday in June of each odd-numbered year, and the terms of two of the members shall expire on the first Monday in June of each even-numbered year.

B. Places. The members of the Board shall be identified by place numbers one through five. The odd-numbered places shall expire in the odd-numbered years; the even-numbered places shall expire in the even-numbered years.

Places 1, 3 and 5 will expire this June.

BOA Place 1 Carol Richtsmeier – voiced desire for reappointment

BOA Place 3 Barbara Betik – voiced desire for reappointment

BOA Place 5 Richard Ware – voiced desire for reappointment

BOA Place 7 Stephanie Heimbuch – voiced desire for reappointment

Mayor Pro Tem Griffin moved to reappoint the following to the Board of Adjustment for a new terms:

BOA Place 1 Carol Richtsmeier

BOA Place 3 Barbara Betik

BOA Place 5 Richard Ware

BOA Place 7 Stephanie Heimbuch

Motion seconded by PL4 Hunt.

*No oppositions, no abstentions.*

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

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

**ITEM 10. DISCUSSION/ACTION** – Consideration of and action on volunteer board appointments and/or reappointments to serve a term on the Economic Development Corporation (EDC) and direct staff as necessary.

An annual board activity report was reviewed. Pursuant to the By-Laws of the Economic Development Corporation, the Board of Directors consists of a seven-member board and states that each member shall be appointed by the City Council for a two-year term. Current terms expiring in June are:

1. Emmett Fox, PL2 – respectfully declined Council consideration for reappointment.
2. Gary Jones, PL4 – voiced desire to serve another term.
3. Ronald Sims, PL6 - voiced desire to serve another term.

Staff stores no pending applications. Mayor Pro Tem Griffin directed staff to post notice seeking board volunteers.

PL4 Hunt moved to reappoint Gary Jones (PL4 EDC) and Ronald Sims (PL6 EDC) to serve a term on the Economic Development Corporation, seconded by PL5 Myers.

*No oppositions, no abstentions.*

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

**ITEM 11. DISCUSSION/ACTION** – Consideration of and action on volunteer board appointments and/or reappointments to serve a term on the Municipal Services Advisory Committee (MSAC) and direct staff as necessary.

Resolution R2014-027 dated July 28, 2014, established the Municipal Services Advisory Committee (MSAC) with the goal to follow these guidelines:

- a. Review development and the current revenue rate;
- b. Assess current and potential future water needs and supply problems;
- c. Assess current and potential future city service needs;
- d. Establish a fund for major street, water, sewer and equipment capital improvements; and
- e. Such other duties as may be directed by City Council.

Initially, MSAC thought that they might meet quarterly or as needed on the second Monday of the month at 5 pm, however, MSAC has been meeting only during the city budget process to consider and recommend the annual fiscal needs of the City to the Council.

1. The Committee shall be comprised of a board of three (3) regular members, who shall be residents of the City of Ovilla and appointed by the City Council, and two (2) ex-officio members consisting to the City Manager and the Director of Public Works;
2. The term for regular members of the Committee shall be two (2) years;

Currently the listed serve on this committee:

1. Michael Myers
2. Bob Betik
3. Mike Bira

The consensus of the Council was to delay appointments, begin solicitation for applications and return this item at a subsequent meeting.

Mayor Pro Tem Griffin moved that Council direct staff to solicit for applications for consideration of MSAC appointments, seconded by PL4 Hunt.

*No oppositions, no abstentions.*

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

*Richard Dormier, Mayor*

*Rachel Huber, Place One*

*Larry Stevenson, Place Two*

**ITEM 12. DISCUSSION/ACTION** – Consideration of and action on volunteer board appointments and/or reappointments to serve a term on the Planning and Zoning Commission and direct staff as necessary.

An annual board activity report was reviewed and staff shared the excerpt from the Ovilla Code, Chapter 14, Section 47.3:

The Planning and Zoning Commission shall consist of seven (7) members. The members shall be residents of the City and qualified voters. They shall be appointed by a majority vote of the members of the City Council at a regular or specially called meeting thereof.

Each member shall serve a term of office of two years. After the expiration of a two-year term of office, a member shall serve until a successor is appointed.

This July, Places 1, 3, 5 and 7 expire:

PZ Place 1 Jungman – voiced desire to serve another term

PZ Place 3 Lynch – voiced desire to serve another term

PZ Place 5 Zabojnik – voiced desire to serve another term

PZ Place 7 Zimmermann – voiced desire to serve another term.

PL4 Hunt moved to reappoint the following to serve another term on the Planning and Zoning Commission:

1. PZ PL1 Jungman
2. PZ PL3 Lynch
3. PZ PL5 Zabojnik
4. PZ PL7 Zimmermann

Motion was seconded by PL5 Myers.

*No oppositions, no abstentions.*

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

**ITEM 13. DISCUSSION/ACTION** – Consideration of and action on volunteer board appointments and/or reappointments to serve a term on the Ovilla Park Board Advisory Committee and direct staff as necessary.

An annual board activity report was reviewed and staff shared the excerpt from the Ovilla Code, Section 15.02.003 and from Ordinance 2017-03:

The term of office of members of the Board shall be two (2) years. The members of the Board shall be identified by place numbers. After the expiration of a two-year term of office, a member shall serve until a successor is appointed.

Places 1, 3 and 5 expire in June.

Place 1 Teresa Lindsey voiced desire to serve another term.

Place 3 Brian Treadaway voiced desire to serve another term.

Place 5 Windy Zabojnik voiced desire to serve another term.

PL1 Huber moved that Council reappoint the following board members to serve another term on the Park Board:

1. Park PL1 Teresa Lindsay
2. Park PL3 Brian Treadaway
3. Park PL5 Windy Zabojnik

Motion seconded by PL2 Stevenson.

*No oppositions, no abstentions.*

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

ITEM 14. **DISCUSSION/ACTION** – Consideration of and action on Resolution R2017-14 authorizing and approving the appointment of a Municipal Court Judge for a two-year term effective immediately.

Chapter 7 of the Ovilla Code of Ordinances calls for the appointment of the municipal court judge, coinciding with the mayoral election on uniform election dates. Ovilla is a court of record and Mr. Scott Kurth, a licensed attorney, has served as Ovilla Municipal Court Judge since May 2007. He also serves as judge in neighboring municipalities and has voiced willingness to continue serving as Ovilla's Municipal Court Judge.

PL4 Hunt moved that Council approve the appointment of Scott Kurth as the Ovilla Municipal Court Judge for a term of two years, effective immediately, seconded by PL2 Stevenson.

*No oppositions, no abstentions.*

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

ITEM 15. **DISCUSSION/ACTION** – Consideration of and action on the appointment of one member of the City Council or one employee and one alternate representative to be a voting member to the Advisory Committee of the Red Oak Creek Regional Wastewater System.

Red Oak Creek Regional Wastewater System Bylaws requires that a representative and an alternate representative from the governing body (or one of its employees) be appointed as a voting member of the Advisory Committee.

Mayor Pro Tem Griffin moved to appoint Mayor Richard Dormier as the contracting party representative and appoint Public Works Director Brad Piland as the alternate member representative to the Red Oak Creek Regional Wastewater System Advisory Committee, seconded by PL4 Hunt.

*No oppositions, no abstentions.*

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

ITEM 16. **DISCUSSION/ACTION** – Consider the selection and appointment of a Council Review Committee for the review of applications and resumes for the city manager position, making recommendations to the Council.

The position is posted on the TML and City website. This committee will begin the process of the reviews of applications for the city manager replacement, reporting to Council and recommending candidate finalists as the research and interview process progresses; directing staff to prepare for background investigations of candidates. A review schedule was presented.

Mayor Pro Tem Griffin moved to approve the appointments of:

1. Mayor Richard Dormier
2. PL4 Doug Hunt
3. PL5 Mike Myers -

to serve as a temporary Council Review Committee for the review of applications and resumes for the city manager position, making recommendations to the Council, seconded by PL4 Hunt.

*No oppositions, no abstentions.*

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

ITEM 17. **DISCUSSION**– Review and discussion of Section 8, Employee Benefits, of the City of Ovilla Employee Policies Manual regarding eligible benefits to new employees.

PL5 Myers asked that staff prepare a brief review of the current employee benefits:

Upon date of employment, eligible employees begin accruing vacation and sick time at the rate of 3.08 hours, per 80-hours in a work pay-period. Once the employee has successfully completed the 90-day probationary period, they may begin using their accrued sick or vacation time.

The City offers the following and the employee is eligible after 30-days employment:

1. 100% paid (by the City) health insurance coverage
  - a. Optional dependent health insurance benefits is available / payroll deduction, 100% paid by employee.
  - b. Optional dental and vision insurance benefits available / payroll deduction, 100% paid by employee.
  - c. All AFLAC benefits / payroll deduction, 100% paid by employee.
2. FreshBenies / Teledoc program, 100% paid by the City for employee and family.
3. Short and Long term disability benefits, 100% paid by the City
4. Limited life insurance benefits for employee, 100% paid by the City
  - a. Limited life insurance benefits for employee family members / payroll deduction, 100% paid by employee.

Texas Municipal Retirement System begins the day of employment with 2-1 City contribution.

Police and Fire uniforms are ordered within days of employment.

Public Works are issued uniforms after successfully completing the required probationary period.

Front city offices are funded for 1-3 City shirts if desired.

PL5 suggested that staff amend the policy to allow for annual physicals with no time recorded and to review the compensatory time, make possible revisions and return to Council with an amended policy for consideration.

*No Action.*

**ITEM 18. DISCUSSION-** Review and discussion of required flushing to maintain water quality.

PL5 Myers asked that staff review the required flushing. Staff provided and discussed the following:

1. TX Administrative Code – TCEQ public drinking water
2. Excerpt EPA Laws & Regulations - Safe Drinking Water
3. Monthly flush list.

*No Action.*

**ITEM 19. DISCUSSION/ACTION –** Consideration of any item(s) pulled from the Consent Agenda above for individual consideration and action.

*N/A*

*No Action.*

#### **DEPARTMENT REPORTS**

Department Activity Reports / Discussion

Council and staff reviewed the monthly reports.

- Administration City Manager D. Burn
- City Manager Reports
- Monthly Municipal Court Report City Secretary P. Woodall
- Monthly Code/Animal Control Reports Code/AC Officer M. Dooly
- Monthly activity reports

- Finance Department
  - March 2017 Financials
  - Bank Balances through May 04, 2017
- Fire Department
  - Monthly Report – responded to a fire in Ashburne Glen Subdivision
- Police Department
  - Monthly Report – still waiting on new radios
- Public Works
  - Monthly Report /Water loss report
  - Monthly Park Maintenance Reports

Accountant L. Harding  
Fire Chief B. Kennedy  
Police Chief B. Windham  
Public Works Director B. Piland

Proclamations pulled from the *Comments/Presentations* were read by Mayor Dormier:

1. Cinco de Mayo
2. Motorcycle Awareness
3. Municipal Clerks Week
4. Peace Officer Memorial Week
5. Public Works Week

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

1. Mayor Dormier      Voiced appreciation to PL2 Stevenson's and CM Dennis Burn's service to Ovilla.
2. PL1 Huber      None
3. PL2 Stevenson      None
4. PL3 Griffin      Thanked the Service League for feeding the staff lunch and thanked Brad Piland and his Public Works Department and Mike Dooly for their hard work at the Ovilla Annual Clean-Up Day.
5. PL4 Hunt      None
6. PL5 Myers      None
7. City Manager      Stated this was his last meeting as City Manager and shall miss everyone. He praised the staff.

**ADJOURNMENT**

PL1 Huber moved to adjourn the May 08, 2017 Council Meeting, seconded by PL2 Stevenson. There being no further business, Mayor Dormier adjourned the meeting at 10:47 p.m.

ATTEST:

  
Pamela Woodall, City Secretary



  
Richard Dormier, Mayor

**Approved June 12, 2017**

Citizens' forum form attached.  
Executive Agenda sealed and filed separately.

Mayor Richard Dormier  
Place One Council, Rachel Huber  
Place Two Council, Larry Stevenson  
Place Three Council/ Mayor Pro Tem, David Griffin



Place Four Council, Doug Hunt  
Place Five Council, Michael Myers  
City Manager, Dennis Burn

## WELCOME TO THE CITY OF OVILLA CITIZENS FORUM

The Ovilla City Council and City Staff welcome you to a meeting of the Ovilla City Council.  
Ovilla Council Meetings are open to the public and residents are encouraged to attend.

It is the policy of the City of Ovilla to give all individuals and lawful organizations an opportunity to formally address the Mayor and Council regarding any posted Agenda item or items not on the agenda. Each participant will be permitted to speak for a maximum of three minutes. Regarding non-agenda items, please be advised that the Mayor and Council cannot respond but may direct inquiries to staff for current policy or for later review.

The form must be complete.

DATE: May 8 2017 PHONE: 469-530-5251  
DO YOU RESIDE WITHIN THE CITY LIMITS OF OVILLA?  YES  NO  
NAME: Mary Cavanaugh  
ORGANIZATION / DEPARTMENT: Ashburne Glen HOA  
ADDRESS: 108 Nob Hill  
CITY / ZIP: Ovilla TX 75154

Persons wishing to address the Mayor and Council concerning a posted agenda item must make a formal request by presenting a completed "Citizens Forum" form to the City Secretary at least 10 minutes prior to the beginning of the scheduled meeting. The form must be complete. At the discretion of the Mayor, those registered to speak may be called during the opening of the listed agenda item. Please check one of the three following options.

I wish to address the Council during the Citizens Forum.

AGENDA ITEM(S) NUMBER:

I wish to address the Council on this agenda item(s).

I do not wish to address the Council, but would like to register the following opinion.

(Circle one) FOR AGAINST

Comments: Re: City Collecting HOA fees

Would you be interested in serving on an appointed board or commission of the City of Ovilla?

Yes  No

The City Council convenes in regular session on the second Monday of each month at 6:00 P.M. unless otherwise noted. Special meetings may be called as deemed necessary to conduct business of the City.

"I authorize the city to release ALL information on this sheet to the public. (If no signature is provided, the City shall not release information that is protected under the Texas Public Information Act.) Signature Mary Cavanaugh