

CITY OF OVILLA MINUTES

Tuesday, October 10, 2017

City Council Briefing Session

105 S. Cockrell Hill Road, Ovilla, TX 75154

In the absence of Mayor Dormier, Mayor Pro Tem Griffin 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 Pro Tem Griffin 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
David Griffin	Mayor Pro Tem, Place 3
Doug Hunt	Council Member, Place 4
Michael Myers	Council Member, Place 5
Absent	Dean Oberg
	Council Member, Place 2

Mayor Pro Tem Griffin announced present Council members, noting that Mayor Dormier and PL2 Oberg were both absent, thus constituting a quorum. Various department directors, 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.

City Manager John Dean gave a brief review of each item on the agenda and answered any questions. Clarification was given on Item 1 regarding the replat of the Nevarez property, advising that access to the property would be from Silver Spur Lane.

ADJOURNMENT

Mayor Pro Tem Griffin adjourned the Briefing Session of the Ovilla City Council at 6:09 p.m.

ATTEST:



Pamela Woodall, City Secretary





David Griffin, Mayor Pro Tem


Approved November 13, 2017

CITY OF O'VILLA MINUTES

Tuesday, October 10, 2017

Regular City Council Meeting

105 S. Cockrell Hill Road, Ovilla, TX 75154

In the absence of Mayor Dormier, Mayor Pro Tem Griffin 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 Pro Tem Griffin 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
David Griffin	Mayor Pro Tem, Place 3
Doug Hunt	Council Member, Place 4
Michael Myers	Council Member, Place 5

Absent Dean Oberg Council Member, Place 2

Mayor Pro Tem Griffin announced present Council members, noting the absence of Mayor Dormier and PL2 Oberg, thus, still constituting a quorum. City Manager John R. Dean, Jr., department directors and various staff were also present.

CALL TO ORDER

PL4 Hunt gave the Invocation. PL1 Huber led the recitation of the Pledge of Allegiance and PL5 Myers led the recitation of the Pledge to the Texas Flag.

COMMENTS & PRESENTATIONS

1. None

Citizen Comments

1. None

CONSENT AGENDA

- C1. August 2017 Financial Transactions over \$5,000
- C2. ERCOT Annual Membership
- C3. Annual Maintenance and Repair Contract on outdoor warning siren system.
- C4. Minutes of the September 11, 2017 Briefing Session and Regular Meeting.

PL4 Hunt moved to approve the consent items, seconded by PL5 Myers.

No oppositions, no abstentions. PL2 Oberg noted absent.

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

PUBLIC HEARING

Mayor Pro Tem Griffin read aloud the replat application and opened the public hearing at 6:36 p.m.

b. Comments in opposition NONE
 Mayor Pro Tem Griffin closed the public hearing at 6:36 p.m.

REGULAR AGENDA

ITEM 1. **DISCUSSION/ACTION** – Consideration of and action on a replat application filed by Daniel Nevarez (Nevarez Addition) to divide 10.022 acres into two separate residential lots, being Lot 1 Block A (7.386 acres, 321.734 sq. ft.) and Lot 2 Block A (2.636 acres, 114,824 sq. ft., located at 600 Silver Spur Lane, in the John Chapman Survey, Abstract 210, Ellis County, Ovilla, Texas.

AS IN THE PUBLIC HEARING, STAFF SHARED THE BASIC INFORMATION ON THE REQUEST:

SUBDIVISION NAME: NEVAREZ ADDITION
 AUTHORIZED AGENT OF RECORD: Daniel Nevarez
 ENGINEER: Ellis Engineering.
 APPLICATION DATE: August 31, 2017
 LOCATION: 600 Silver Spur Lane
 UTILITIES: Ovilla Water / Septic
 ZONING: R22
 PROPOSED LAND USE: Residential Subdivision
 MAJOR THOROUGHFARE: Highway 664 Ovilla Road

Applicant requested to divide his 10.022 acres into two separate residential family lots. One home is existing on the property currently. If approved, a family member would build on Lot 2. Both lot sizes will still exceed the required R-22 zoning. All Code requirements for this replat are met.

PL4 Hunt moved that Council approve the replat application filed by Daniel Nevarez (Nevarez Addition) to divide 10.022 acres into two separate residential lots, being Lot 1 Block A (7.386 acres, 321.734 sq. ft.) and Lot 2 Block A (2.636 acres, 114,824 sq. ft., located at 600 Silver Spur Lane, in the John Chapman Survey, Abstract 210, Ellis County, Ovilla, Texas as presented, seconded by PL1 Huber.

No oppositions, no abstentions. PL2 Oberg noted absent.

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

ITEM 2. **DISCUSSION/ACTION** – Consideration of and action on the request for a Meritorious Exception filed by the Home Owners Association (HOA) of Ovilla Parc to install a 12' X 6' monument stone sign in the right-of-entrance of the residential subdivision, located on the northwest corner of Shiloh Road and Claremont Drive, Ellis County, Ovilla, TX.

APPLICANT'S PROPOSAL: Applicant representative Paul Haney with Ovilla Parc Homeowners Association Management team, was present for Council questions. The HOA requested a Meritorious Exception to construct a new lighted stone sign, identifying the subdivision at the entrance - "Ovilla Parc" - located at the Claremont entrance at Shiloh Road. Applicant proposed to place the sign in the right-of-way and the sign will exceed the size limits. The sign material was noted compliant with code.

Proposed Sign description: 12' W x 6' H (72 square feet)

Proposed Material: Stone

Proposed placement: Right-of-way - Claremont at Shiloh Road

Duration: This sign is for permanent placement.

Current Zoning: R15

Staff confirmed that placement and size of the sign would not impede the view traffic. The sign would be solar lighted.

PL4 Hunt moved that Council approve a Meritorious Exception, as permitted by Section 3.06.012 of the Ovilla Code of Ordinances, filed by the Ovilla Parc Homeowners Association, to construct a 12' X 6' monument sign at the Claremont and Shiloh Road entrance to Ovilla Parc Subdivision, authorizing the city manager to execute said permit, seconded by PL5 Myers.

No oppositions, no abstentions. PL2 Oberg noted absent.

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

ITEM 3. DISCUSSION/ACTION – Receive recommendation from the Ovilla Planning and Zoning Commission to consider and act on a preliminary plat application filed by Mr. Clyde Hargrove for Hidden Valley Estates Subdivision, a residential development located at the northwest corner of Red Oak Creek and Westmoreland Road, Ellis County, Ovilla, TX.

Applicant Mr. Hargrove was present for questions:

SUBDIVISION NAME:	HIDDEN VALLEY ESTATES
AUTHORIZED AGENT OF RECORD:	Clyde Hargrove
ENGINEER:	Bannister Engineering.
APPLICATION DATE:	August 24, 2017
LOCATION:	Northwest corner of Red Oak Creek Rd. & Westmoreland Rd.
UTILITIES:	City Sewer / City Water
ZONING:	R15
PROPOSED LAND USE:	Residential Subdivision
MAJOR THOROUGHFARE:	Highway 664 Ovilla Road

APPLICANT'S PROPOSAL: A request for the development of 149 lots for residential home sites, and 5 common area lots. The total area in the subdivision is 117.578 acres in the city limits of Ovilla. The developer intentionally kept lots larger than required. The subdivision will have curb and gutter throughout. Fire Chief Kennedy stated that there were no fire safety issues with the proposed development. Public Works Director Piland stated that there were no issues impacting the City's water system as this development was included the last Impact Fee Study.

PL1 Huber moved to approve the preliminary plat application filed by Clyde Hargrove for Hidden Valley Estates Subdivision, located at the NW corner of Red Oak Creek Road and Westmoreland Road as presented, seconded by PL4 Hunt.

No oppositions, no abstentions. PL2 Oberg noted absent.

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

ITEM 4. DISCUSSION/ACTION – Consideration of and action on a short form final plat application filed by Mr. William P. Tucker, Tucker Estates, 6.44 acres divided into three residential lots, being Lot 1, Block 1 (2.001 acres), Lot 2, Block 1 (2.657 acres) and Lot 3, Block 1 (1.361 acres), Isaac Hurst Survey, Abstract Number 457, South Westmoreland Road, in the extraterritorial jurisdiction of Ovilla, Ellis County, Texas.

Staff presented the applicants request.

SUBDIVISION NAME:	TUCKER ESTATES
AUTHORIZED AGENT OF RECORD:	William P. Tucker
ENGINEER:	Bannister Engineering.
APPLICATION DATE:	August 10, 2017

LOCATION:	2206 S. Westmoreland Road
UTILITIES:	Sardis Water / Septic / County Road
ZONING:	N/A
PROPOSED LAND USE:	Residential Subdivision
MAJOR THOROUGHFARE:	Highway 664 Ovilla Road

APPLICANT'S PROPOSAL: A request for the development three residential lots – being Lots 1,2 and 3, Block 1, total of 6.440 acres out of Isaac Hurst Survey, Abstract Number 457 in the extraterritorial jurisdiction of Ovilla, Ellis County, TX. Application/plat requirements, including road frontage requirements are compliant with Code and County.

PL4 Hunt moved to approve the short-form final plat application filed by Mr. William P. Tucker, Tucker Estates, 6.44 acres divided into three residential lots, being Lot 1, Block 1 (2.001 acres), Lot 2, Block 1 (2.657 acres) and Lot 3, Block 1 (1.361 acres), Isaac Hurst Survey, Abstract Number 457, South Westmoreland Road, in the extraterritorial jurisdiction of Ovilla, Ellis County, Texas, seconded by PL5 Myers.

No oppositions, no abstentions. PL2 Oberg noted absent.

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

ITEM 5. DISCUSSION/ACTION – Consideration of and action on Ordinance 2017-15 of the City of Ovilla, TX, amending Appendix A, Article A2.000, Section A2.003, “Returned Check Fee” of the Code of Ordinances of the City of Ovilla, Texas; providing a fee for checks payable to the City that are returned due to insufficient funds; 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 advised that Section 3.506(b) of the Texas Business and Commerce Code limits a returned check fee to thirty dollars (\$30.00). Currently, Ovilla's returned check fee is \$35.00 approved by Ordinance 2011-025. Ordinance 2017-15 amends Appendix A, Article A2.000 of the Ovilla Code of Ordinances to be compliant.

PL5 moved that Council approve Ordinance 2017-15 of the City of Ovilla, TX, amending Appendix A, Article A2.000, Section A2.003, “Returned Check Fee” of the Code of Ordinances of the City of Ovilla, Texas; providing a fee for checks payable to the City that are returned due to insufficient funds; 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 PL1 Huber.

No oppositions, no abstentions. PL2 Oberg noted absent.

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

ITEM 6. DISCUSSION/ACTION – Consideration of and action on Ordinance 2017-16 of the City of Ovilla, Texas, amending Appendix A, Article A7.000, Section A7.003(A) of the Code of Ordinances of the City of Ovilla; establishing a monthly water rate for residential and nonresidential customers; providing a saving clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication.

During the September meeting, Council directed staff to return with an Ordinance to increase water rates \$0.13 per 1,000 gallons at all levels of usage. This increase is equal to the increase incurred by the City due to a \$0.13 per 1,000 gallons rate increase from the City of Dallas Water Utilities. This

increase was accounted for in the budget process. City Manager John Dean advised Council that the City had absorbed the rate increases from Dallas Water Utilities over the past two years.

PL5 Myers moved that Council approve Ordinance 2017-16 of the City of Ovilla, Texas, amending Appendix A, Article A7.000, Section A7.003(A) of the Code of Ordinances of the City of Ovilla; establishing a monthly water rate for residential and nonresidential customers; providing a saving clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication, seconded by PL1 Huber.

No oppositions, no abstentions. PL2 Oberg noted absent.

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

ITEM 7. DISCUSSION/ACTION – Consideration of and action on a contract agreement with Emergency Reporting, a web-based EMS reporting software integrated with fire incident reporting, authorizing the City Manager to execute, effective immediately.

Chief Kennedy reported that the Fire Department currently uses FireHouse Software, on a cloud-based service for incident reporting. FireHouse does not allow staff the capabilities of assigning users, resetting passwords, running special reports, or creating certain reports without emailing FireHouse and trying to explain what is needed. The history of doing this has turned into a back and forth, time consuming issue between the Chief and the software company. Emergency Reporting software will allow the Fire Chief the capabilities to accomplish all the above-mentioned tasks, plus additional modules could be added for miscellaneous staffing entries, as well as assisting in payroll. The initial cost to move to this new company is \$3,936, as they assist the Fire Department with importing current records. Following the initial setup and transfer, the annual subscription will be \$2,697.00 yearly from the second year on. The Fire Department currently pays \$2,530.54 annually for FireHouse, which does not have the staffing nor the payroll modules available. Emergency Reporting is also a sole source provider due to them being the only company that offers this type of program on a web-based platform.

PL4 Hunt moved to approve a contract agreement with Emergency Reporting, a web-based EMS reporting software integrated with fire incident reporting as presented, authorizing the City Manager to execute, effective immediately, seconded by PL5 Myers.

No oppositions, no abstentions. PL2 Oberg noted absent.

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

ITEM 8. DISCUSSION – Discussion regarding dumpster screening and direct staff as necessary.

The Code of Ordinances addresses Dumpster or waste receptacle screening in several sections of the Code. The Code is not consistent in addressing this issue. Staff would like direction from the City Council on how to address the inconsistencies in the Code on this issue. Staff asked for direction to resolve the conflicts on this issue within the Code of Ordinances and was instructed to return with an ordinance to make the necessary corrections.

No Action.

ITEM 9. DISCUSSION – Discuss the success and outcome of the 2017 Heritage Day celebration.

PL4 Hunt was commended for his coordination of this year's event. He noted that sponsorships made a record high of \$23,550, and record high of 85 booths rented. PL4 Hunt commended Ashley Thompson, Secretary of the Police Department, Code Enforcement Officer Mike Dooly, PW Director Brad Piland and his Public Works Department as well as police and fire departments. It was a successful event.

No Action.

ITEM 10. **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 were reviewed and discussed.
 - Police Department Police Chief B. Windham
 - Monthly Report
 - Fire Department Fire Chief B. Kennedy
 - Monthly Report
 - Public Works Public Works Director B. Piland
 - Monthly Report /Water loss report
 - 1. Monthly Park Maintenance Reports
 - 2. Street Maintenance Report
 - Finance Department Accountant L. Harding
 - August 2017 Financials
 - Bank Balances through September 06, 2017
 - Administration City Secretary P. Woodall
 - City Manager Reports
 - Monthly Municipal Court Report
 - 1. Advised that new statutes allowed the offenders more time to pay.
 - Monthly Code/Animal Control Reports Code/AC Officer M. Dooley
 - 1. The abatement at 101 Oakwood is still ongoing.

EXECUTIVE SESSION

None.

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

1. Mayor Dormier Absent
2. PL1 Huber None
3. PL2 Oberg Absent
4. PL3 Griffin None
5. PL4 Hunt None
6. PL5 Myers Police Dept. consider looking into the cost and purchase of electronic speed warning signs.
7. City Manager None

ADJOURNMENT

PL4 Hunt moved to adjourn the meeting of October 10, 2017, seconded by PL1 Huber. There being no further business, Mayor Pro Tem Griffin adjourned the meeting at 8:24 p.m.

ATTEST:

Pamela Woodall, City Secretary




David Griffin, Mayor Pro Tem

Approved November 13, 2017

Richard Dormier, Mayor
Rachel Huber, Place One
Dean Oberg, Place Two

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