

CITY OF OVILLA MINUTES

Monday, November 13, 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 6:00 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
Dean Oberg	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, constituting a quorum. City Manager John R. Dean, Jr., including 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. PL2 Oberg noted that Consent Item C5 would most likely be pulled for clarification during the regular meeting.

ADJOURNMENT

Mayor Dormier adjourned the Briefing Session of the Ovilla City Council at 6:12 p.m.

ATTEST:


Pamela Woodall

Pamela Woodall, City Secretary



Richard Dormier, Mayor

Approved December 11, 2017

CITY OF OVILLA MINUTES

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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:

Rachel Huber	Council Member, Place 1
Dean Oberg	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 and 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 the recitation of the Pledge to the Texas Flag.

COMMENTS & PRESENTATIONS

1. There were no presentations.

Citizen Comments

1. Mr. Gary Jones, 604 Green Meadows, EDC President: Traffic concerns on Main Street.
2. MS Dani Muckleroy, 608 Green Meadows: Spoke on behalf of the Salvation Army and asked for volunteers to ring the bell at the Wal-Mart in Red Oak.

CONSENT AGENDA

- C1. September 2017 Financial Transactions over \$5,000
- C2. Investment Report for quarter ended September 30, 2017
- C3. Committed Fund Balance Report as of September 30, 2017
- C4. Resolution R2017-26 - DCAD (Dallas County Appraisal District) Ballot for fourth member to the Board of Directors
- C5. Resolution R2017-27 - EAD (Ellis Appraisal District) Ballot for member(s) to the Board of Directors
- C6. Annual Interlocal Cooperation Contract between County of Ellis and City of Ovilla
- C7. Minutes of the October 10, 2017 Briefing Session and Regular Meeting.

PL4 Hunt moved to pull Consent Item C5 for clarification and to approve the remaining consent items, seconded by PL2 Oberg.

No oppositions, no abstentions.

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

PUBLIC HEARING

Mayor Dormier read aloud the replat application and opened the public hearing at 6:38 p.m.

- A. A replat/short-form final plat application filed by Mickey Butler and Doris Waters (Butler-Waters Addition) to divide 5.28 acres into two separate residential lots, being Lot 1 (3.62 acres) and Lot 2 (1.52 acres), located in the John Chapman Survey, Abstract 209, more commonly known at 845 E. Highland Road, Ellis County, Ovilla, Texas.
- B. Presentation of Request for replat from Mr. Butler.
 - a. Mr. Butler and MS Waters advised Council that they were unable to take care of the entire property as they continued to age.
- C. Public Hearing to receive comments from the public regarding the request.
 - a. Comments in favor NONE
 - b. Comments in opposition NONE

Mayor Dormier closed the public hearing at 6:39 p.m.

REGULAR AGENDA

ITEM 1. **DISCUSSION/ACTION** – Consideration of and action on a replat/short-form final plat application filed by Mickey Butler and Doris Waters (Butler-Waters Addition) to divide 5.28 acres into two separate residential lots, being Lot 1 (3.62 acres) and Lot 2 (1.52 acres), located in the John Chapman Survey, Abstract 209, more commonly known at 845 E. Highland Road, Ellis County, Ovilla, Texas.

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

SUBDIVISION NAME: BUTLER-WATERS ADDITION
 AUTHORIZED AGENT OF RECORD: Mickey Butler and Doris Waters
 SURVEYOR/ENGINEER: Great Southwest Land Surveyors (Michael Evans)
 APPLICATION DATE: October 18, 2017
 LOCATION: 845 E. Highland Road
 UTILITIES: Sardis Water / Septic / County Road
 ZONING: -
 PROPOSED LAND USE: Residential
 MAJOR THOROUGHFARE: Highway 664 Ovilla Road

APPLICANT'S PROPOSAL: A request to split 5.28 acres into two separate lots – being Lot 1 - 3.62 acres, and Lot 2 – 1.52 acres in the John Chapman Survey, Abstract 209 and in the extraterritorial jurisdiction of the City of Ovilla, Ellis County, Texas. Taxes on this property are paid up to date. (size difference in the two lots and total on the survey is the roadway dedication)

Staff completed all notice requirements.

PL4 Hunt moved to approve the short form final plat application filed by Mickey Butler and Doris Waters, Butler-Water Addition, 5.28 acres divided into two lots, being Lot 1, (3.62 acres) and Lot 2, (1.52 acres) in the John Chapman Survey, Abstract 209 and in the extraterritorial jurisdiction of the City of Ovilla, Ellis County, Texas, 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 request from Waste Connections of Texas for a CPI (Consumer Price Index) increase of 3.2% for services as outlined in the agreement between the City of Ovilla and Waste Connections of Texas.

Staff received notice by letter that Waste Connections of Texas (Ovilla's refuse service) would enact an annual adjustment to the rate for service based on the change in the Consumer Price Index (CPI), to be effective December 01, 2017. The increase of 3.2% will impact the monthly residential base rate from \$13.26 to \$13.68 per home per month (.42 cent increase). Per the contract agreement, one CPI increase is allowed annually with a 30-day advanced notice. Although Waste Connections stated the increase would be effective December 01, based on the date and receipt of the notice from Waste Connections, the earliest effective date would be December 07. Therefore, staff recommended that if Council approved the CPI increase, it be effective on the January 01, 2018 billing cycle.

PL2 Oberg moved to approve an annual adjustment to the rate for services with Waste Connections for a CPI increase of 3.2%, effective the January 1 utility billing cycle, seconded by Mayor Pro Tem Griffin.

No oppositions, no abstentions.

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

ITEM 3. DISCUSSION/ACTION – Consideration of and action on a revised Strategic Plan and direct staff as necessary.

The Park Board and EDC held a joint meeting July 17, 2017 with each Board revising relative sections of the Strategic Plan as suggested by Council. During the Park Board's November 06 meeting, revisions were confirmed and ready for Council consideration.

Staff recently received the word document to the Strategic Plan from ORASI and will implement those changes upon recommendation by Council. The revised sections for Council's review are specific to the Park Board.

- Remove 1.1 Pop-Up-Park
- Postpone 1.3 Creating a downtown design
- Remove 1.7 Ballfields
- Remove 1.8 Creek walk
- Remove Goal 2

Council's consensus was for staff to review with the EDC, possibly set an order of priorities and return for discussion and consideration.

NO ACTION.

ITEM 4. DISCUSSION/ACTION – Consideration of and action on review and revision to Chapter 10, Article 10, Section 10.02.423 of the Code of Ordinances regarding the mowing of rights-of-way and direct staff as necessary.

Staff asked for clarification regarding the responsibility of rights-of-way mowing. The current Code makes it difficult on staff and residents.

Staff was directed to research the Code, ascertain the cost for either the City to manage (which would require more equipment and possibly additional employees) or to hire an outside company, and return to Council for further discussion in January 2018.

NO ACTION.

ITEM 5. DISCUSSION/ACTION – Consideration of and action to purchase and place road reflectors on Silverwood and Shadowwood Trail, directing staff as necessary.

Mayor Pro Tem Griffin asked to address the placement of raised road reflectors/pavement markers on the noted streets to aid with night vision safety.

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

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

PL2 Oberg moved to direct staff to purchase raised road reflectors for placement on Silverwood and Shadowwood Trail, seconded by Mayor Pro Tem Griffin.

No oppositions, no abstentions.

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

ITEM 6. DISCUSSION/ACTION – Consideration of and action to update Article 6.05 Dumpster Regulations and Article 14, Section 38.5 E., Dumpster Screening, of the Ovilla Code of Ordinances pertaining to dumpster screening and direct staff as necessary.

Ovilla's current Code lists "dumpster" under separate Articles. It is the recommendation of staff to ensure any mention of dumpster throughout the Code is consistent and preferably listed under one chapter for easy research and to minimize any chance for conflict. A sample ordinance was presented. Council directed staff to return for Council's consideration with an ordinance similar to the example presented and repeal any conflicts in Ovilla's Code.

NO ACTION.

ITEM 7. DISCUSSION/ACTION – Consideration of and action on the need to purchase a speed monitoring device and direct staff as necessary.

During the October 10 Council meeting, staff was asked to research for information and costs associated on speed feedback signs. Police Chief Windham presented the following:

Radar feedback signs offer added awareness to drivers and make them cognizant of their speed. They prove to be most helpful in school zones and roadwork areas, and are great tools for preoccupied or reckless drivers on any road. These signs come in several forms and configurations including trailers, movable signs and permanent signs. In addition, there are hard-wired power and solar powered models. Some signs have added features of providing driving data feedback to the department wirelessly and for provides messages to drivers such as SLOW DOWN and THANK YOU.

NO ACTION.

ITEM 8. DISCUSSION/ACTION – Consideration of and action on an amendment to the Engineering Services Agreement with Birkhoff, Hendricks and Carter, LLP, for the Red Oak Creek 12-inch Water Line.

An engineering contract amendment of \$2,500 was submitted by the engineers to complete the project. Staff asked Birkhoff (Engineer) to make some minor modifications to the creek crossing in hopes of encouraging more bidders. The firm committed to complete the project regardless of amendment approval or not. The original agreement of \$18,290 was amended by the previous City Manager. If Council approved this increase, would bring the total engineering cost for the project to \$23,790. Mr. Dean's recommendation was to NOT approve the additional funding. Again, the engineering firm has stated that they will complete the project, whether or not Council approves the increased cost.

PL2 Oberg moved to DENY the amendment to the Engineering Services Agreement with Birkhoff, Hendricks and Carter, LLP for the red Oak Creek 12-inch Water Line, seconded by PL4 Hunt.

No oppositions, no abstentions.

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

ITEM 9. DISCUSSION/ACTION – Consideration of any item(s) pulled from the Consent Agenda above for individual consideration and action.

Following Council's consensus and direction to staff to place all entitled 34 votes on the Official Ballot for Mr. Phil Lynch, PL2 Oberg moved to approve Consent Item C5, seconded by Mayor Pro Tem Griffin. No oppositions, no abstentions.

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

DEPARTMENT REPORTS

- Department Activity Reports were reviewed and discussed.
 - Police Department Police Chief B. Windham
 - Monthly Report
 - 1. The PD is conducting a Toy Drive through December 15.
 - Fire Department No representative present
 - Monthly Report
 - Public Works Public Works Supervisor D. Durham
 - Monthly Report /Water loss report
 - 1. Monthly Park Maintenance Reports
 - 2. Street Maintenance Report
 - Finance Department Accountant L. Harding
 - September 2017 Financials
 - Bank Balances through November 08, 2017
 - Administration
 - City Manager Reports
 - 1. New tracking system is up and operational.
 - 2. City Manager plans to review Code conflicts with Franklin Publishing.
 - 3. Technology Management Services Bid will be posted next week.
 - Monthly Municipal Court Report City Secretary P. Woodall
 - Monthly Code/Animal Control Reports Code/AC Officer M. Dooly

EXECUTIVE SESSION

None.

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

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

ADJOURNMENT

PL2 Oberg moved to adjourn the meeting of November 13, 2017, seconded by PL1 Huber. There being no further business, Mayor Dormier adjourned the meeting at 8:17 p.m.

ATTEST:

Pamela Woodall, City Secretary




Richard Dormier, Mayor

Approved December 11, 2017

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

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