

# CITY OF OVILLA MINUTES

**Monday, January 08, 2018**  
**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
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 questions to Items 3, 4, 6, 7 and 8.

## ADJOURNMENT

Mayor Dormier adjourned the Briefing Session of the Ovilla City Council at 6:15 p.m.

ATTEST:

  
Pamela Woodall, City Secretary



  
Richard Dormier, Mayor

Approved February 12, 2018

# CITY OF OVILLA MINUTES

**Monday, January 08, 2018**

**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.*

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**

PL5 Myers 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**

### **Citizen Comments**

1. Mr. William Douglas Wallace was present, introduced himself and shared that he was running for 378<sup>th</sup> Judicial District Court Judge in Ellis County.

## **CONSENT AGENDA**

- C1. November 2017 Financial Transactions over \$5,000
- C2. Minutes of the December 11, 2017 Briefing Session and Regular Council Meeting.

PL4 Hunt moved to approve the Consent Items as presented, seconded by PL2 Oberg.

*No oppositions, no abstentions.*

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

## **REGULAR AGENDA**

**ITEM 1. DISCUSSION/ACTION** – Consideration of and action on Ordinance 2018-01 of the City of Ovilla, Texas, to amend specific sections of Chapter 6, Article 6, Section 6.05.008; Chapter 19, Section 19.12C; Chapter 14, Section 35.2D; and Chapter 14, Section 38.5F of the Code of Ordinance of the City of Ovilla; establishing requirements for permanent dumpsters; 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 received approval from the city attorney of the prepared ordinance amending the Code of Ordinances regarding dumpster screening. The presented ordinance makes the dumpster screening requirements consistent throughout the Code.

PL2 Oberg moved to approve Ordinance 2018-01 of the City of Ovilla, Texas to amend specific sections of Chapter 6, Article 6, Section 6.05.008; Chapter 19, Section 19.12C; Chapter 14, Section 35.2D; and Chapter 14, Section 38.5F of the Code of Ordinance of the City of Ovilla; establishing requirements for permanent dumpsters; 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 PL4 Hunt.

*No oppositions, no abstentions.*

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

**ITEM 2. DISCUSSION/ACTION** – Consideration of and action on Ordinance 2018-02 of the City of Ovilla, Texas, authorizing a General Election to be held on May 05, 2018 for the purpose of electing three Council Members, (Places 1, 3 and 5) for expired terms by the qualified voters of Ovilla; providing for the method of voting; providing for the appointment of the early voting clerk, presiding election judge, early voting ballot board; providing for the lease of election equipment and providing for publication in accordance with the Texas Election Code {EC §3.004, §3.006, §4.001-008, §85.005, §85.007} and providing an effective date.

**DISCUSIÓN/ACCIÓN** – Consideración de una Acción a partir de la Ordenanza 2018-02 del Gobierno Municipal de la Ciudad de Ovilla, Texas, donde se autoriza la organización de elecciones generales para el día 05 de mayo de 2018 con el elegir tres miembros del gobierno municipal (cargos 1, 3 y 5) cuyo período ha expirado y por parte de votantes calificados de Ovilla; estipulando el método de votación; estipulando el nombramiento de la Secretaria de Votación Anticipada; el Juez de Elección Anticipada, el Consejo de Boletas de Votación Anticipada; estipulando el arriendo de equipamiento para elecciones y estipulando la publicación, en conformidad con el Código de Elecciones de Texas {EC §3.004, 3.006, 41001-008, 85.004, 85.007} y estipulando una fecha efectiva.

State Law requires the City Council to authorize the Order of General Election.

May 05, 2018 is uniform Election Day. The prepared ordinance calls the election and outlines procedures consistent with the TX Election Code; designating the polling place for early voting and Election Day, the method of voting, appointment of the early voting clerk, appointment of the Ballot Board and Presiding Election Judge and the lease of election equipment.

Early Voting takes place from April 23, 2018, through May 01, 2018 at the Ovilla Municipal Building, same location as in past years. Election Day voting will be held in the Council Chamber Room.

Method of Voting: Paper ballots

Early Voting Clerk: City Secretary

Presiding Election Judge: Charlie Morton

Alt. Presiding Election Judge: Christina Odom

Ballot Board: Presiding Judge and his designated election clerks

Lease of Equipment: Ellis County Elections Administrator

A lease agreement from Ellis County for the Auto Mark (election equipment) will be presented to Council at a later meeting when it becomes available from the County.

Law requires that two of those days during early voting by personal appearance have extended hours from 7:00 A.M. to 7:00 P.M., on designated dates. The recommended two days for 12-hour early voting for the May 05, 2018 General Election are Monday, April 30, 2018 and Tuesday, May 01, 2018.

PL4 Hunt moved that Council approve Ordinance 2018-02 of the City Council of the City of Ovilla, Texas, authorizing a general election to be held on May 05, 2018 for the purpose of electing three council members (Places 1, 3 and 5) for expired terms by the qualified voters of Ovilla; providing for the method of voting; providing for the appointment of the Early Voting Clerk; Presiding Election Judge, Early Voting Ballot Board; providing for the lease of election equipment and providing for publication, in accordance with the Texas Election Code {EC §3.004, 3.006, 41001-008, 85.004, 85.007} and providing an effective date, seconded by PL2 Oberg.

*No oppositions, no abstentions.*

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

**ITEM 3. DISCUSSION/ACTION** – Consideration of and action on Resolution R2018-01, to award the Red Oak Creek 12-inch Water Line Crossing Project Contract Agreement to LA Banda, LLC, authorizing the Mayor to execute said construction project agreement documents.

The City entered into an agreement for engineering services with Birkhoff, Hendricks and Carter, LLP to complete construction plans and specifications for the Red Oak Creek 12-inch Water Line Project. Notice was posted, and bids received through December 21, 2017, 10:00 a.m.

Birkhoff, Hendricks and Carter, LLP validated the sealed bids received at 10:00 a.m., Thursday, December 21, 2017, for the Red Oak Creek 12-inch Water Line Crossing project. LA Banda, L.L.C. of Dallas, Texas, submitted the low base bid in the amount of \$104,107.00, which included a bid of \$15,500.00 for the additive alternate No 3A and a credit of bid item No. 3 for \$7,316.00. Additionally, based on the engineering firm's check references on LA Banda, they reported that LA Banda LLC holds the experience and capability to construct the Red Oak Creek 12-inch Water Line Crossing Project. The Bid Summary and itemized Bid Tabulation were reviewed.

PL5 Myers moved that Council approve Resolution R2018-01, to award the Red Oak Creek 12-inch Water Line Crossing Project Contract Agreement to LA Banda, LLC, authorizing the Mayor to execute said construction project agreement documents, seconded by Mayor Pro Tem Griffin.

*No oppositions, no abstentions.*

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

**ITEM 4. DISCUSSION/ACTION** – Consideration of and action on Resolution R2018-02, to award an IT Management Technology Services Agreement by and between the City of Ovilla and NetGenius, and authorizing the Mayor to execute said agreement documents.

Specifications for IT Management Technology Services were prepared, and staff published a Request for Proposals to receive interest from qualified vendors until December 04, 2017 at 3:00 pm. Three proposals were received, and interviews were conducted by the staff with the two most qualified and that met all requirements. NetGenius proved to carry the experience in providing the necessary services. Staff unanimously agreed that based on governmental knowledge, experience and security background, NetGenius was best suited for Ovilla. NetGenius' monthly fee is based on the number of devices. The Agreement was reviewed, amended and approved by the city attorney. The annual fee is \$39,000, which if approved, would require a budget amendment at mid-year. This IT firm covers a larger range of services that were not included and billed separately with the current provider.

PL4 Hunt moved to approve Resolution R2018-02, to award an IT Management Technology Services Agreement by and between the City of Ovilla and NetGenius, and authorizing the Mayor to execute said agreement documents, seconded by PL1 Huber.

*No oppositions, no abstentions.*

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

ITEM 5. **DISCUSSION/ACTION** – Consideration of and action on Resolution R2018-03, approving the Parks Master Plan Contract with GrantWorks, Inc, authorizing the Mayor to execute said agreement documents.

During the December 2017 Council meeting, staff shared the results of proposals received for the creation of an Ovilla Parks Master Plan and was directed to return with an agreement and resolution for execution. The EDC and Park Board both considered the two proposals, and both recommended that GrantWorks be selected to prepare a Parks Master Plan. Staff has a commitment from the Economic Development Corporation to pay for this Plan. Cost of the Plan is \$6,000.

PL2 Oberg moved to approve Resolution R2018-03, approving the Parks Master Plan Contract Agreement with GrantWorks, Inc, authorizing the Mayor to execute said agreement documents, seconded by PL5 Myers.

*No oppositions, no abstentions.*

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

ITEM 6. **DISCUSSION/ACTION** – Consideration of and action on Resolution R2018-04, approving a Master Services and Purchasing Agreement by and between Axon Enterprises, Inc., and the City of Ovilla, authorizing the Mayor to execute said agreement documents.

Each full time Ovilla Police Officer is issued a departmental Taser as standard issue equipment. Axon, Enterprises, Inc., requires a signed contract for purchase. Therefore, in order to purchase a Taser for our newest officer, the contract needs to be executed for one (1) new Taser at a budget approved cost of \$1,133.01.

Mayor Pro Tem Griffin moved to approve Resolution R2018-04, approving a Master Services and Purchasing Agreement by and between Axon Enterprises, Inc., and the City of Ovilla, authorizing the purchase of one new taser and authorizing the Mayor to execute said agreement documents, seconded by PL2 Oberg.

*No oppositions, no abstentions.*

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

ITEM 7. **DISCUSSION/ACTION** – Consideration of and action on Resolution R2018-05, approving an update of the City of Ovilla Investment Policy.

Staff advised that the City is required under the Public Funds Investment Act (Chapter 2256 of the Texas Government Code) to adopt a formal written Investment Policy for the investment of public funds. These policies serve to satisfy the statutory requirement (specifically the Public Funds Investment Act, Chapter 2256 of the Texas Government Code [the "Act"]) to define, adopt and review a formal investment strategy and policy. The presented policy has been reviewed and revised by the city attorney.

PL1 Huber moved to approve Resolution R2018-05, approving the review and update of the City of Ovilla Investment Policy, seconded by PL5 Myers.

*No oppositions, no abstentions.*

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

ITEM 8. **DISCUSSION/ACTION** – Consideration of and action on Resolution R2018-06, approving a Service Agreement by and between the City of Ovilla and Deaf Action Center, authorizing the Mayor to execute said agreement documents.

The Municipal Court is in need of deaf interpreter for scheduled court and jury trials. Article 38.31 Criminal Procedures, of the Criminal and Traffic Law Manual, requires and states that *the court shall appoint a qualified interpreter to interpret the proceedings in any language a deaf person can understand*. Additionally, Article 38.31 g (2) Criminal Procedures requires that a qualified interpreter must be board certified listed in the Registry of Interpreters for the Deaf. All interpreters with Deaf Action Center are qualified interpreters.

PL5 Myers moved to approve Resolution R2018-06, approving a Service Agreement by and between the City of Ovilla and Deaf Action Center, authorizing the Mayor to execute said agreement documents, seconded by PL2 Oberg.

*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.

None.

*No action.*

#### **DEPARTMENT REPORTS**

- Department Activity Reports / Discussion
  - Police Department Police Chief B. Windham
    - Reviewed Monthly Report
      - 1. Advised that new employee begins January 09, 2018
  - Fire Department Fire Chief B. Kennedy
    - Reviewed Monthly Report
      - 1. Working on the quotes for repairs to the building.
  - Public Works Public Works Director B. Piland
    - Monthly Report
      - 1. Reviewed Monthly Park Maintenance Reports
      - 2. Reviewed Street Maintenance Report
      - 3. Introduced new employee Otis Hinson
  - Finance Department Accountant L. Harding
    - November 2017 Financials
    - Bank Balances through January 03, 2017
  - Administration City Secretary P. Woodall
    - Discussed City Manager Reports
    - Reviewed Monthly Municipal Court Report
    - Reviewed Monthly Code/Animal Control Reports
  - Code/AC Officer M. Dooly

#### **VI. 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).*

*None.*

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

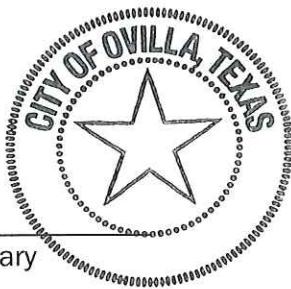
1. Mayor Dormier	Review the resolution regarding council volunteers.
2. PL1 Huber	None
3. PL2 Oberg	None
4. PL3 Griffin	None
5. PL4 Hunt	None
6. PL5 Myers	None
7. City Manager	None

ADJOURNMENT

PL2 Oberg moved to adjourn the meeting of January 08, 2018, seconded by PL4 Hunt. There being no further business, Mayor Dormier adjourned the meeting at 7:50 p.m.

ATTEST:

*Pamela Woodall*  
Pamela Woodall, City Secretary



Richard Dormier, Mayor

*Approved February 12, 2018*