

# City of Ovilla City Council

Rachel Huber, Place One

Dean Oberg, Place Two

David Griffin, Place Three, Mayor Pro Tem

Richard Dormier, Mayor

Doug Hunt, Place Four

Michael Myers, Place Five

John R. Dean, Jr. City Manager

## NOTICE OF CITY COUNCIL BRIEFING SESSION 105 S. Cockrell Hill Road, Ovilla, TX 75154

Tuesday, October 09, 2018

6:00 P.M.

Council Chamber Room

## AGENDA

- I. CALL TO ORDER
- II. CONDUCT A BRIEFING SESSION to review and discuss agenda items for the 6:30 p.m. regular meeting.
- III. ADJOURNMENT

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the October 09, 2018 Briefing Session Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, [www.cityofvilla.org](http://www.cityofvilla.org), on the 5<sup>th</sup> day of October 2018 prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code.



Pamela Woodall, City Secretary

DATE OF POSTING: 10.5.2018 TIME: 10:00 AM/pm  
DATE TAKEN DOWN: \_\_\_\_\_ TIME: \_\_\_\_\_ am/pm

This facility is ADA compliant. If you plan to attend this public meeting and have a disability that requires special arrangements, please call 972-617-7262 at least 48 hours in advance. Reasonable accommodation will be made to assist your needs. PLEASE SILENCE ALL PAGERS, CELL PHONES & OTHER ELECTRONIC EQUIPMENT WHILE THE CITY COUNCIL MEETING IS IN SESSION.

# *City of Ovilla City Council*

*Rachel Huber, Place One  
Dean Oberg, Place Two  
David Griffin, Place Three, Mayor Pro Tem*

*Richard Dormier, Mayor*

*Doug Hunt, Place Four  
Michael Myers, Place Five  
John R. Dean, Jr. City Manager*

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

*Tuesday, October 09, 2018*

*6:30 P.M.*

*Council Chamber Room*

## **AGENDA**

NOTICE is hereby given of a Regular Meeting of the City Council of the City of Ovilla, to be held on **Tuesday, October 09, 2018** at **6:30 P.M.** in the Ovilla Municipal Building, Council Chamber Room, 105 S. Cockrell Hill Road, Ovilla, Texas, 75154, for the purpose of considering the following items:

**I. CALL TO ORDER**

- Invocation
- US. Pledge of Allegiance and TX Pledge

**II. COMMENTS, PRESENTATIONS**

**▪ Citizen Comments**

*The City Council welcomes comments from Citizens. Those wishing to speak must sign in before the meeting begins. Speakers may speak on any topic, whether on the agenda or not. The City Council cannot act upon, discuss issues raised, or make any decisions at this time. Speakers under citizen's comments must observe a three-minute time limit. Inquiries regarding matters not listed on the Agenda may be referred to Staff for research and possible future action.*

- Mayor Pro Tem to read Proclamation – Breast Cancer Awareness Month
- City Manager will give an update on the September 22, 2018 rain and flooding that occurred in Ovilla.

**III. CONSENT AGENDA**

*The following items may be acted upon in one motion. No separate discussion or action is necessary unless requested by a Council Member, in which event those items will be pulled from the consent agenda for individual consideration on the regular agenda during this meeting.*

- C1. August 2018 Financial Transactions over \$5,000
- C2. Minutes of the September 19, 2018 Special Council Meeting
- C3. Minutes of the September 10, 2018 Briefing Session and Regular Meeting,
- C4. Minutes of the August 29, 2018 Special Council Meeting and Tax Rate Hearing
- C5. Minutes of the August 20, 2018 Special Council Meeting and Tax Rate Hearing

**III. PUBLIC HEARINGS**

**PUBLIC HEARING** – Receive public comment on Ordinance 2018-22, amending the Land Use Table of Article 2, Section 11.3 of the Ovilla Comprehensive Zoning Ordinance, No. 2010.013 as amended; providing for a winery in specified areas and removing the specified uses for a Dwelling Guesthouse; amending Article 6, Section 53.1 “General Definitions” of the Comprehensive Zoning Ordinance NO. 2010.013 as amended; providing a definition of “Winery”; providing a savings clause, providing a severability clause; providing an effective date; and providing for publication.

- *Staff Presentation*
- *Public Comment*
- *Council deliberation*

**PH-ITEM 1. DISCUSSION/ACTION** – Receive recommendation report from the Planning and Zoning Commission to consider and take action on Case No. PZ18.09, Ordinance 2018-22 of the City

# *City of OILLA City Council*

*Rachel Huber, Place One*

*Dean Oberg, Place Two*

*David Griffin, Place Three, Mayor Pro Tem*

*Richard Dormier, Mayor*

*Doug Hunt, Place Four*

*Michael Myers, Place Five*

*John R. Dean, Jr. City Manager*

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of Ovilla, Texas, amending the Land Use Table of Article 2, Section 11.3 of the Ovilla Comprehensive Zoning Ordinance No. 2010.013 as amended; providing for a winery in specified areas and removing the specified uses for a Dwelling Guesthouse; amending Article 6, Section 53.1 "General Definitions" of the Comprehensive Zoning Ordinance No. 2010.013, as amended; providing a definition of "Winery"; providing a savings clause, providing a severability clause; providing an effective date; and providing for publication.

**PUBLIC HEARING** – Receive public comment on a code violation abatement, "Nuisance Outside Storage", Section 8.02 of the Ovilla Code of Ordinances at the property designated as Lot 9, Block 2, Brookwood #2, Ovilla, Ellis County, Texas 75154, more commonly known as 101 Oakwood.

- *Staff Presentation*
- *Public Comment*
- *Council deliberation*

**PH-ITEM 2. DISCUSSION/ACTION** – Consideration of and action on a code violation abatement, "Nuisance Outside Storage", Section 8.02 of the Ovilla Code of Ordinances, at the property designated as Lot 9, Block 2, Brookwood #2, Ovilla, Ellis County, Texas 75154, more commonly known as 101 Oakwood.

## **IV. REGULAR AGENDA**

**ITEM 1.** *DISCUSSION/ACTION* – Consideration of and action on a revised Site Plan Application submitted by Pamilee Koval, as authorized by Thomas Waits, to add a free-standing canopy, located at 713 W. Main Street, Ovilla, TX 75154.

**ITEM 2.** *DISCUSSION/ACTION* – Consideration of and action on Ordinance 2018-23 of the City of Ovilla, Texas amending Chapter 1, Section 1.02.002 of the Code of Ordinances declaring an official city newspaper and declaring an effective date.

**ITEM 3.** *DISCUSSION/ACTION* – Consideration of and action on Ordinance 2018-24 of the City of Ovilla, Texas, regulating the operation of golf carts on public streets; providing for a penalty for the violation of this ordinance; providing for repealing, savings and severability clauses; providing for an effective date of this ordinance; and providing for publication.

**ITEM 4.** *DISCUSSION/ACTION* – Consideration of and action on Ordinance 2018-25 of the City of Ovilla, Texas, amending Chapter 3, Article 3.06, Section 3.06.002, 3.06.005 and 3.06.007(5) of the Code of Ordinances of the City of Ovilla; establishing definitions for signs; amending the schedule for temporary signs; amending the prohibited signs; 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.

**ITEM 5.** *DISCUSSION/ACTION* – Consideration of and action on Ordinance 2018-26 of the City of Ovilla, Texas, amending the Fiscal Year 2018-2019 General Fund Budget of the City of Ovilla to allow for an adjustment of \$260,000 for the purchase of real properties being identified as Ellis CAD Property ID's 187744, 187748, and 187741; providing for publication of this Ordinance and providing an effective date.

**ITEM 6.** *DISCUSSION/ACTION* – Consideration of and action on Ordinance 2018-27 of the City of Ovilla, Texas, amending Chapter 8, "Offenses and Nuisances," Article 8.01 "General Provisions," of the

# ***City of OVILLE City Council***

*Rachel Huber, Place One*

*Dean Oberg, Place Two*

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*Michael Myers, Place Five*

*John R. Dean, Jr. City Manager*

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Code of Ordinances of the City of Ovilla, Texas, prohibiting the sale of alcoholic beverages within certain distances of churches, schools, and hospitals.

**ITEM 7.** ***DISCUSSION/ACTION***– Consideration of and action on Ordinance 2018-28 of the City of Ovilla, Texas, amending Appendix A, Article A7.000, Section A7.001 of the Code of Ordinances of the City of Ovilla; establishing monthly rates for solid waste collection for residential and non-residential customers; providing a savings clause; providing a severance clause; providing for incorporation in the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication.

**ITEM 8.** ***DISCUSSION/ACTION***– Consideration of and action on Ordinance 2018-29 of the City of Ovilla, Texas, amending Appendix A, Article A7.000, Section A7.003 (B)(1) and A7.003 (B)(2)(B) of the Code of Ordinances of the City of Ovilla; establishing a monthly wastewater rate for residential and nonresidential customers; providing a savings clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for an effective date; and providing for publication.

**ITEM 9.** ***DISCUSSION/ACTION*** – Consideration of and action on staff direction for the use of AT&T Lease Funds.

**ITEM 10.** ***DISCUSSION/ACTION*** – Consideration of and action on designated parking.

**ITEM 11.** ***DISCUSSION/ACTION*** – Consideration of any item(s) pulled from the Consent Agenda above for individual consideration and action.

## **IV. DEPARTMENT REPORTS**

- **Department Activity Reports / Discussion**
  - Police Department Chief B. Windham
    - Monthly Report
  - Fire Department Chief B. Kennedy
    - Monthly Report
  - Public Works Director B. Piland
    - Monthly Report
      - 1. Monthly Park Maintenance Reports
  - Finance Department Accountant L. Harding
    - August 2018 Financials
    - Bank Balances through October 03, 2018
  - Administration
    - Monthly Code/Animal Control Reports
    - Monthly Municipal Court Report
    - City Manager Reports

Code/AC Officer M. Dooly  
City Secretary P. Woodall  
City Manager, John R. Dean, Jr.

## **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).*

# *City of Ovilla City Council*

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Michael Myers, Place Five  
John R. Dean, Jr. City Manager*

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

## VIII. ADJOURNMENT

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the October 09, 2018 Regular City Council Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, [www.cityofvilla.org](http://www.cityofvilla.org), on the 5<sup>th</sup> day of October 2018 prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code.



Pamela Woodall, City Secretary

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# PROCLAMATION

## CITY OF OVILLA

**WHEREAS**, breast cancer is the second most commonly diagnosed form of cancer for women in the United States and remains the second leading cause of cancer death among American women; and

**WHEREAS**, mammography, an "x-ray of the breast," is recognized as the single most effective method of detecting breast changes long before physical symptoms can be seen or felt. Early detection and improved treatment is believed to have significantly reduced the number of deaths caused by breast cancer; and

**WHEREAS**, researchers, scientists, and numerous nonprofit organizations, are dedicated to discovering the cure for breast cancer. During the month of October, we acknowledge the extraordinary commitment and effort invested in this cause; and

**WHEREAS**, we recognize that over two and a half million Americans are breast cancer survivors that give us hope of a better future.

**NOW, THEREFORE** with support for those who continue to cope with breast cancer, I, David Griffin, Mayor Pro Tem of the City of Ovilla, Texas, on behalf of the City Council, extend our deepest respect for survivors and those advocating for prevention and a cure and in so doing hereby proclaim OCTOBER 2018 as

### "BREAST CANCER AWARENESS MONTH"

In official recognition whereof I hereunto set my hand and caused the seal of Ovilla to be affixed this 09<sup>th</sup> day of October 2018.

\_\_\_\_\_  
David Griffin, Mayor Pro Tem

**CONSENT ITEMS C1 – C5**

**Meeting Date: October 09, 2018**

**Department: Administration/Finance/Fire**

Discussion Action

YES NO N/A

**Submitted by: Staff**

**Amount: N/A**

**Attachments:**

- C1. August 2018 Financial Transactions over \$5,000
- C2. Minutes of the September 19, 2018 Special Council Meeting
- C3. Minutes of the September 10, 2018 Briefing Session and Regular Meeting.
- C4. Minutes of the August 20, 2018 Special Council Meeting and Tax Rate Hearing
- C5. Minutes of the August 29, 2018 Special Council Meeting and Tax Rate Hearing

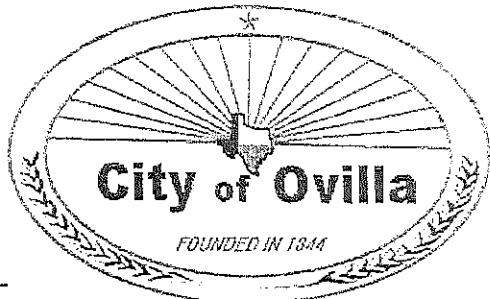
**Discussion / Justification:**

**Recommendation / Staff Comments:**

Staff recommends approval.

**Sample Motion(s):**

I move to approve the consent items as presented.



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DATE: October 8, 2018

TO: Honorable Mayor and Council Members

FROM:  
Linda Harding, Accountant

SUBJECT: Transactions Over \$5,000 For August 2018

**City of Ovilla Expenditures Over \$5,000  
for the Month of AUGUST 2018**

Date	Check#	General Fund Payee	Description	Amount
** Now in Alphabetical Order				
08/03/2018	48007	Emergency Medical	Transport Service	\$ 15,889.75
08/31/2018	48102	City of Ovilla EDC	due to EDC , sales tax	\$ 22,225.93
08/03/2018	47994	Ellis County Precinct #4	Ovilla Oaks, Suburban	\$ 89,760.00
08/31/2018	48086	Motorola	Final payment for radios	93,769.60
08/10/2018	48025	Progressive Waste Solutions of TX, Inc.	Solid Waste	23,737.20
08/09/2018	DRAFT	QuickBooks Payroll Service	Created by Payroll Service on 08/10/2018	49,150.46
08/23/2018	DRAFT	QuickBooks Payroll Service	Created by Payroll Service on 08/24/2018	50,784.40
08/09/2018	48010	RDC Construction LLC	FD Bay update	9,980.00
08/03/2018	47989	T. M. R. S.	Retirement	16,582.30
08/03/2018	48004	Texas Bit	Ovilla Oaks Highland Highview Suburban	304,407.10
08/20/2018	48070	United Health Care	HEALTH SEPTEMBER	12,502.34
08/10/2018	48011	United States Treasury	75-1399345	8,072.96
08/24/2018	48076	United States Treasury	75-1399345	8,286.44
Total General Fund Transactions \$5,000 and Over				\$ 705,148.48

Date	Check#	Water & Sewer Fund Payee	Description	Amount
8/17/201	17301	City of Dallas	Water	67,413.21
08/10/2018	17294	City of Ovilla General Fund	pr 8 10 18	9,877.09
08/17/2018	17308	City of Ovilla General Fund	Garbage transfer for JULY	19,946.97
08/31/2018	17317	City of Ovilla General Fund	pr 8 24 18	10,769.69
08/31/2018	17318	City of Ovilla General Fund	due to GF	21,458.02

Total Water & Sewer Fund Transactions \$5,000 and Over \$ 129,464.98

**CITY OF OVILLA MINUTES**  
***Wednesday, September 19, 2018***  
***Special City Council Meeting***  
***105 S. Cockrell Hill Road, Ovilla, TX 75154***

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Mayor Dormier called the Special Council Meeting of the Ovilla City Council to order at 5:00 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 present Council members, thus, constituting a quorum. City Manager John R. Dean, Jr., department directors and various staff were also present.

**CALL TO ORDER**

Mayor Pro Tem Griffin gave the Invocation and PL1 Huber led the recitation of the US Pledge and the Texas Pledge.

**COMMENTS/PRESENTATIONS & REPORTS**

Council discussed the expected stormy weather coming on Heritage Day (September 22) and the probability to cancel the celebratory event this year.

**CITIZEN COMMENTS**

There was no one present to speak.

**EXECUTIVE SESSION** – Closed session pursuant to Section §551.072 of the Texas Government Code. There were two items set for Executive Session, however, both items were discussed in open session. No items were addressed in an Executive Session.

**ES-ITEM 1. DISCUSSION/ACTION** – Consideration of and action on real property lease with Landmark Infrastructure Holding Company LLC.

**ES-ITEM 2 DISCUSSION/ACTION** Consideration of and action on the purchase of real property.

**REGULAR AGENDA**

**ITEM 1. DISCUSSION/ACTION** – Consideration of and action on real property lease with Landmark Infrastructure Holding Company LLC.

Council confirmed the payment from Landmark to be \$550,000 paid by October 01, 2018, for a 25-year lease agreement to AT&T.

Mayor Pro Tem Griffin moved that Council approve the easement and assignment of lease agreement authorizing the city manager to execute the agreement as presented, 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 the purchase of real property.

PL4 Hunt moved to approve the purchase of two properties, authorizing the city manager to execute the contracts, seconded by PL2 Oberg.

*No oppositions, no abstentions.*

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

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

1. Mayor Dormier	Discussion on the lease agreement funds.
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, seconded by PL1 Huber. There being no further business, Mayor Dormier adjourned the meeting at 5:17 p.m.

ATTEST:

Richard Dormier, Mayor

Pamela Woodall, City Secretary

*Approved October 09, 2018*

# CITY OF OVILLA MINUTES

*Monday, September 10, 2018*

*City Council Briefing Session*

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

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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.*

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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 Council that all members were present, thus constituting a quorum. City Manager John R. Dean, Jr., 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.**

Mayor Dormier and City Manager John Dean gave a brief review of each item on the agenda. Questions on Consent Item C4 and Regular Agenda Item 7 were briefly discussed and clarified. There were no other questions.

## ADJOURNMENT

Mayor Dormier adjourned the Briefing Session of the Ovilla City Council at 6:17 p.m.

ATTEST:

Pamela Woodall, City Secretary

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Richard Dormier, Mayor

*Approved October 09, 2018*

# CITY OF OVILLA MINUTES

*Monday, September 10, 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 6:31 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 Council all members were present, thus constituting a quorum. City Manager John R. Dean, Jr., department directors and various staff were also present.

## CALL TO ORDER

PL2 Oberg 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. Four individuals signed up to speak on Item 9.

### **Presentation:**

1. Mayor Dormier read the 2018 Proclamation, *Break the Silence Sunday*.

## CONSENT AGENDA

- C1. July 2018 Financial Transactions over \$5,000
- C2. Resolution R2018-31 approving a negotiated settlement between the ATMOS Cities Steering Committee (ACSC) and ATMOS Energy Corp., Mid-Tex Division regarding the company's 2018 rate review mechanism filings; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement.
- C3. Authorize the Mayor to execute an annual Interlocal Cooperation Agreement for Fire Protection and First Responder Services with Ellis County Emergency Services District #2.
- C4. Council Meeting Calendar Dates and Annual Holidays.
- C5. Appointment of Stephanie Heimbuch to serve a term on the Board of Adjustment Member Place 4 (currently serving as an alternate member to the BOA Place 7).
- C6. Minutes of the August 13, 2018 Briefing Session and Regular 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.**

**PUBLIC HEARING**

Mayor Dormier opened the Public Hearing at 6:37 p.m., to receive comments on the Proposed Fiscal Year 2018-2019 Budget. There were no comments in favor or in opposition. Mayor Dormier closed the Public Hearing at 6:38 pm.

**REGULAR AGENDA**

Mayor Dormier moved the order of the agenda to address Item 9.

**ITEM 9. DISCUSSION**– Review and discuss an Ordinance regulating the operation of golf carts on public streets and providing for a penalty for the violation of this ordinance.

Mayor Dormier called on the four individuals that had signed up to speak:

1. Chrystyna and Pat Coughlin, 505 Edgewood – supports operation of golf carts
2. Bob Squires, 621 Edgewood – supports operation of golf carts
3. Perry Kaemmerling, 907 Slippery Elm Drive – supports operation of golf carts
4. Mary Cavanaugh, 108 Nob Hill – supports operation of golf carts

Staff and Council discussed the pros and cons of allowing the operation of golf carts in various neighborhoods/streets. All Councilmembers voiced safety concerns, however, the consensus of the Council was favorable to allow the use. Mayor Dormier asked that if the Council were to move forward with an ordinance to mandate the use of golf carts on concrete streets. Staff was directed to contact the city attorney to inquire:

- Can the city regulate seat belt use?
- Is a golf cart considered a motor vehicle?
- Can the city place an age limit on an operator of golf carts?

**No Action. Discussion only.**

Mayor Dormier returned to the regular order of the agenda.

**ITEM 1. DISCUSSION/ACTION** – Consideration of and action on Ordinance 2018-17 approving and adopting the Budget and making appropriations for the support of the City Government of the City of Ovilla, Texas for the Fiscal Year beginning October 01, 2018 and ending September 30, 2019; providing an effective date.

Staff presented the following:

Attached is the proposed FY 2018-2019 Budget resulting from the Council budget workshops conducted.

Ordinance 2018-17 was presented for adoption of the budget for the Fiscal Year October 1, 2018 – September 30, 2019. The budget was based on the proposed tax rate of \$0.660000 per \$100 dollars of valuation, with a Maintenance and Operation rate of \$0.533417 and a debt rate of \$0.126583. The proposed tax rate would increase total taxes in Ovilla by 6.35% (by which it decreases the current total tax rate by 0.020399%) as proposed by record vote from Council during the August 29, 2018, Council Meeting and Budget Workshop.

**This Budget will raise more total property taxes than last year's budget by \$145,468 which is a 6.35% increase, and of that amount, \$68,001 is tax revenue to be raised from new property added to the roll this year.**

PL4 Hunt moved that the Ovilla City Council approves Ordinance 2018-17, approving and adopting the Budget and making appropriations for the support of the City Government of the City of Ovilla for the Fiscal Year beginning October 01, 2018 and ending September 30, 2019; providing an effective date, seconded by PL5 Myers.

Mayor Dormier called a record vote:

PL1 Rachel Huber Yes  
 PL2 Dean Oberg Yes  
 PL3 Mayor Pro Tem Griffin Yes  
 PL4 Doug Hunt Yes  
 PL5 Mike Myers Yes

*No oppositions, no abstentions.*

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

**ITEM 2. DISCUSSION/ACTION** – Consideration of and action on Ordinance 2018-18 levying, assessing and fixing the tax rate for the use and support of the municipal government of the City of Ovilla, Texas, and providing for the Debt Service Fund for Fiscal Year 2018-2019 and apportioning each levy for the specific purpose, and providing for collection of all annual taxes provided by state law; and providing an effective date.

Two public hearings were required and conducted on August 20th and August 29th. All legal requirements were met. During the August 29, 2018 Special Council Meeting and Public Hearing, Council took a record vote for the proposed tax rate for Fiscal Year 2018-2019. The Council's record vote on the proposed rate of \$0.660000 is an increase in ad valorem revenue for 2018-19.

This year's proposed tax rate of \$0.660000 is the recommended rate.

M&O	\$ 0.533417 per \$100.00 of valuation
Debt Service	\$ 0.126583 per \$100.00 of valuation
<b>Total</b>	<b>\$ 0.660000 per \$100.00 of valuation</b>
PROPOSED TAX RATE	\$ 0.660000 per \$100
PRECEDING YEAR'S TAX RATE	\$ 0.680399 per \$100
EFFECTIVE TAX RATE	\$ 0.621776 per \$100
ROLLBACK RATE	\$ 0.662271 per \$100

PL2 Oberg moved that the Council hereby approve the 2018 property tax rate be a total of \$0.660000 per \$100 valuation with a Maintenance and Operation rate of \$0.533417 and a debt rate of \$0.126583, seconded by PL1 Huber.

Mayor Dormier called a record vote:

PL1 Rachel Huber Yes  
 PL2 Dean Oberg Yes  
 PL3 Mayor Pro Tem Griffin Yes  
 PL4 Doug Hunt Yes  
 PL5 Mike Myers Yes

*No oppositions, no abstentions.*

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

**Second Motion & Vote adopting Ordinance:**

PL4 Hunt further moved that the Council hereby approve Ordinance 2018-18 levying, assessing and fixing the tax rate for the use and support of the municipal government of the City of Ovilla, Texas, and providing for the Debt Service Fund for Fiscal Year 2018-2019 and apportioning each levy for the specific purpose, and providing for collection of all annual taxes provided by state law; and providing an effective date, seconded by Mayor Pro Tem Griffin.

Mayor Dormier called a record vote:

PL1 Rachel Huber Yes  
 PL2 Dean Oberg Yes

PL3 Mayor Pro Tem Griffin	Yes
PL4 Doug Hunt	Yes
PL5 Mike Myers	Yes

No oppositions, no abstentions.

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

**ITEM 3. DISCUSSION/ACTION** – Consideration of and action on Ordinance 2018-19 of the City of Ovilla, Texas, ratifying the budget for the 2018-2019 tax year that raised more revenue from property taxes than in the previous year.

This Ordinance endorses and validates the approval of Ordinance 2018-17, Fiscal Year 2018-2019 Budget.

Mayor Pro Tem Griffin moved that Council approves & adopts Ordinance 2018-19 ratifying the budget for the Fiscal Year 2018-2019 that will raise more revenue from property taxes than in the previous year, seconded by PL2 Oberg.

Mayor Dormier called a record vote:

PL1 Rachel Huber	Yes
PL2 Dean Oberg	Yes
PL3 Mayor Pro Tem Griffin	Yes
PL4 Doug Hunt	Yes
PL5 Mike Myers	Yes

No oppositions, no abstentions.

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

**ITEM 4. DISCUSSION/ACTION** – Consideration of and action on approval of the City Manager to execute a contractual agreement between the City of Ovilla and Community Waste Disposal (CWD) for a municipal solid waste collection, transportation, recyclable and disposal contract, effective December 01, 2018.

Following direction from Council during the August 29, 2018 Special Council Meeting, City Manager John R. Dean, developed a contract with Community Waste Disposal (CWD) which mirrors the current contract in providing services to the City of Ovilla. The Contract is for a 5-year term commencing on December 01, 2018. It allows for two one-year extensions. The contract rates are as specified in the RFP.

Two options on the contract were presented for Council consideration:

- (1) with the current method of rate adjustments
- (2) with CWD proposed method of rate adjustment
- (3) both options have been reviewed by the City Attorney.

Council discussed the methods of rate adjustment with CWD representatives that were present and opted to use Option 2.

PL2 Oberg moved to approve the contractual agreement between the City of Ovilla and Community Waste Disposal (CWD) for a municipal solid waste collection, transportation, recyclable and disposal contract as presented, effective December 01, 2018, authorizing the city manager to execute said contract, 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 Ordinance 2018-20 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 savings clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication.

Staff presented a proposed adjustment to the water rate which passes through the Dallas Water Utilities reduction of \$0.13 per thousand. This was discussed during the budget workshops as an assumption that all rate increases, and decreases would be passed on to the customer.

Mayor Pro Tem Griffin moved to approve Ordinance 2018-20 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 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 PL5 Myers.

*No oppositions, no abstentions.*

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

**ITEM 6. *DISCUSSION/ACTION*** – Consideration of and action on Ordinance 2018-21 of the City of Ovilla, Texas, to amend Chapter 13, Article 13.03, Section 13.03.112(A) of the Code of Ordinances of the City of Ovilla establishing requirements for determination of wastewater flow and; amend Chapter 13, Article 13.03.113 of the Code of Ordinances of the City of Ovilla establishing acceptable methods for applying for service; 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 presented Ordinance 2018-21 which changes the method of establishing the “Winter Average”. This new method will take the lowest usage of those three months and that will establish each customers’ wastewater monthly usage for that year.

The second item this Ordinance addresses is the ability for a customer to establish service without being physically present at City Hall. The practice has already been in place for new customers to be able to place their information in the night deposit box to establish service. By making this change, will provide staff the ability to allow customers to establish new service online, allowing us to provide better service to Ovilla residents.

PL4 Hunt moved to approve Ordinance 2018-21 of the City of Ovilla, Texas, to amend Chapter 13, Article 13.03, Section 13.03.112(A) of the Code of Ordinances of the City of Ovilla establishing requirements for determination of wastewater flow and; amend Chapter 13, Article 13.03.113 of the Code of Ordinances of the City of Ovilla, Texas establishing acceptable methods for applying for service; 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 Oberg.

*No oppositions, no abstentions.*

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

**ITEM 7. *DISCUSSION/ACTION*** – Consideration of and action on the official ballot for the election of Places 11-14 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool.

As Texas Municipal League Intergovernmental Risk Pool (TMLIRP) members, Ovilla is entitled to vote for Board of Trustees members. Places 11-14 have candidates listed on the ballot to serve six-year terms.

Mayor Pro Tem Griffin moved that Ovilla submit an official ballot of the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election, for Places 11-14 to serve 6-year terms, authorizing the Mayor to execute said Official Ballot upon approval by City Council, seconded by PL4 Hunt with the following names:

Place 11: Rick Schroder

Place 12: Bert Lumbreas

Place 13: Mike Jones

Place 14: David Harris

*No oppositions, no abstentions.*

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

**ITEM 8. DISCUSSION/ACTION** – Receive recommendation from the Planning and Zoning Commission to consider and act on a Site Plan submitted by Mr. John Matthews for the creation, installation and operation of Cassaro Winery, located at 704 W. Main Street, Ovilla, Texas.

The Planning and Zoning Commission reviewed and considered the Site Plan documents during their September 04, 2018 Regular meeting. The P&Z voted unanimously to recommend approval of the site plan. Owner, John Matthews was present to answer questions. All comments were favorable.

**SITE PLAN APPLICATION INFORMATION:**

NAME:	Cassaro Winery
AUTHORIZED AGENT OF RECORD:	John Matthews
APPLICATION DATE:	August 17, 2018
LOCATION:	704 W. Main Street
UTILITIES:	Ovilla Water
ZONING:	CR Restricted Commercial
PROPOSED LAND USE:	Winery/CR Restricted Commercial
MAJOR THOROUGHFARE:	FM 664

PL1 Huber moved that the Ovilla City Council approve the Site Plan Application request submitted by John Matthews for the creation, installation and operation of Cassaro Winery, located at 704 W. Main Street, Ovilla, Texas, seconded by PL2 Oberg.

*No oppositions, no abstentions.*

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

Mayor Dormier moved the order of the Agenda to address Item 13.

**ITEM 13. DISCUSSION** – Discuss Article 3.06 (Signs) of the Ovilla Code of Ordinances and direct staff as necessary.

The City Council requested that the Sign Section of the code be clarified and discussed regarding definitions of “flag banner” and “feather banner”. A-frame signs were also discussed. Staff was directed to return with an ordinance to amend the current Code permitting one feather banner per each property and to delete the last sentence of Section 3.06.007 from the Code.

*No Action. Discussion only.*

Mayor Dormier returned to the regular order of the Agenda.

**ITEM 9. DISCUSSION** – Review and discuss an Ordinance regulating the operation of golf carts on public streets and providing for a penalty for the violation of this ordinance.

*Item 9 was previously addressed.*

**ITEM 10. DISCUSSION-** Review and discuss an Ordinance of the City of Ovilla, amending Chapter 8, "Offenses and Nuisances," Article 8.01 "General Provisions," of the Code of Ordinances of the City of Ovilla, Texas, prohibiting the sale of alcoholic beverages within certain distances of churches, schools, and hospitals.

Staff presented a proposed Ordinance prepared by the City Attorney for the City Council to consider if the Council so desired to regulate future alcohol sales within certain limitations as allowed by state law. The ordinance basically allows a public or private school to request that the City Council adopt an ordinance forbidding alcohol sales within 1,000 feet of the school. Council directed staff to return with the ordinance for consideration at the next meeting.

*No Action. Discussion only.*

**ITEM 11. DISCUSSION-** Review and discuss revisions to the Employee Handbook.

Staff presented proposed revisions to the handbook. City Manager John R. Dean gave a brief review:

- City Administrator to City Manager.
- Several of our sections are state or federal law in our handbook instead of only referencing those laws. Mr. Dean advised that in his opinion it is always better to list the law instead of the actual verbiage of the law because the language changes regularly.
- Forms were removed. If necessary forms would be amended administratively.
- Longevity pay was included.
- Section allowing the donation of sick time.

Staff will return with a resolution to adopt in the coming months.

**ITEM 12. DISCUSSION/ACTION –** Consideration of and action on adoption of a revised standard schedule of pay in accordance with Section 9.03.034 of the Ovilla Code of Ordinances.

Staff advised that the pay from neighboring cities and cities similar to Ovilla were surveyed and trust that the presented schedule of pay provided employees the ranges necessary to recruit and retain quality employees within Ovilla's means. City Manager John R. Dean advised that it was his intent to review Ovilla's schedule of pay annually.

- The presented schedule increased the lowest minimum pay rate from \$10.82 to \$13.00. There are no full-time employees below \$13.00 per hour. All employees fall within the proposed rate changes.
- The schedule separated the Fire Fighter position into a Basic and Medic category. The current schedule does not differentiate.
- The schedule has been adjusted to reflect both exempt (salary) and non-exempt (hourly) employees' wages accurately.
- This schedule complies with the Code of Ordinances requirements.

PL5 Myers moved to approve the adoption of a revised standard schedule of pay in accordance with Section 9.03.034 of the Ovilla Code of Ordinances, seconded by PL2 Oberg.

*No oppositions, no abstentions.*

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

**ITEM 13. DISCUSSION –** Discuss Article 3.06 (Signs) of the Ovilla Code of Ordinances and direct staff as necessary.

*Item 13 was previously addressed.*

**ITEM 14. DISCUSSION –** Discuss progress and receive updates on activities related to 2018 Heritage Day celebration, Saturday, September 22, 2018.

PL4 Hunt provided an update of the upcoming event.

*No Action. Discussion only.*

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

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

**ITEM 15. DISCUSSION** – Receive update regarding the July 10, 2017 Order of Abatement constituting a “Nuisance Outside Storage” under Article 8.02 of the Code of Ordinances of the City of Ovilla, at 101 Oakwood Lane, Ovilla, TX 75154.

Staff shared background information on the address: In accordance with statutes, the Ovilla City Council held a public hearing and deliberation on July 10, 2017, on the code violation abatement “Nuisance Outside Storage” of the property commonly known as 101 Oakwood Lane, Ovilla, TX. The Ovilla City Council approved an abatement order at that address and allowed the owner 90-days. Three trailer loads of miscellaneous items were removed from the property and clean-up was addressed by the owner during the 90-day period. However, the assessment and sight of the property continues to violate code. Staff is providing an update with notice to the owner and the process of abatement beginning again.

*No Action. Discussion only.*

**ITEM 16. DISCUSSION/ACTION** – Consideration of any item(s) pulled from the Consent Agenda above for individual consideration and action.

*N/A*

### **III. DEPARTMENT REPORTS**

- Department Activity Reports were discussed with Council.
  - Police Department Chief B. Windham
    - Monthly Report – new police vehicle was ordered.
    - Employee mandatory and immediate training scheduled was shared.
  - Fire Department A-Chief K. Lindsey
    - Monthly Report
  - Public Works Director B. Piland
    - Monthly Report
      - 1. Monthly Park Maintenance Reports
  - Finance Department Accountant L. Harding
    - July 2018 Financials-preliminary preparations for the audit were underway.
    - Bank Balances through September 05, 2018
  - Administration
    - Monthly Code/Animal Control Reports Code/AC Officer M. Dooly
      - 1. New truck is pending completion.
    - Monthly Municipal Court Report City Secretary P. Woodall
    - City Manager Reports City Manager, John R. Dean, Jr.

### **VI. EXECUTIVE SESSION**

Mayor Dormier called a closed meeting at 10:28 p.m., pursuant to Texas Government Code §551.072 – Real Property and §551.074 – Personnel Matters. Attendance: Mayor, Council, City Manager and City Secretary.

Mayor, Council and staff returned to Regular Session at 11:15 p.m. Mayor advised that no decisions nor action was taken in Executive Session. Any action will be taken in open session.

**ES-ITEM 1. DISCUSSION/ACTION** – Closed session called pursuant to Section §551.072 of the Texas Government Code to deliberate the purchase, exchange, lease, or value of real property.

Open session: PL4 Hunt moved to direct the city manager to negotiate the purchase of property and return to Council, seconded by PL2 Oberg.

No oppositions, no abstentions.

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

**ES-ITEM 2. DISCUSSION/ACTION** – Deliberate the appointment, employment, evaluation, reassignment and/or duties of the City Secretary. (Annual evaluation.)

Open session: PL2 Oberg moved to approve the city secretary a merit increase of 3%, effective October 01, 2018, seconded by PL1 Huber.

No oppositions, no abstentions.

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

**ES-ITEM 3. DISCUSSION/ACTION** – Deliberate the appointment, employment, evaluation, reassignment and/or duties of the City Manager. (Annual evaluation.)

Open session: PL4 Hunt moved to approve the city manager a merit increase of 3%, effective October 01, 2018, seconded by PL2 Oberg.

No oppositions, no abstentions.

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

**VII. 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 September 10, 2018, seconded by PL4 Hunt. There being no further business, Mayor Dormier adjourned the meeting at 11:16 p.m.

ATTEST:

Richard Dormier, Mayor

Pamela Woodall, City Secretary

*Approved October 09, 2018*

Attachments: Citizens Forum sheet  
PZ Recommendation Report

Executive Session sealed and filed separately.

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



Place Four Council, Doug Hunt  
Place Five Council, Michael Myers  
City Manager, John R. Dean, Jr.

## 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:	<u>10 Sept 2018</u>	PHONE:	<u>972 217 1906</u>
DO YOU RESIDE WITHIN THE CITY LIMITS OF OVILLA?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
NAME:	<u>Christyna Pat Coughlin</u>		
ORGANIZATION / DEPARTMENT:			
ADDRESS:	<u>505 Edgewood</u>		
CITY / ZIP:	<u>Ovilla TX 75754</u>		

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:

Jeff Catt Use

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: Jeff Catt Use

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

Jeff Catt Use

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



Place Four Council, Doug Hunt  
Place Five Council, Michael Myers  
City Manager, John R. Dean, Jr.

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The form must be complete.

DATE: 10 SEP 2018

PHONE: 972-217-1108

DO YOU RESIDE WITHIN THE CITY LIMITS OF OVILLA?  YES  NO

NAME: Bob Squires

ORGANIZATION / DEPARTMENT: \_\_\_\_\_

ADDRESS: 621 EDGEWOOD LN

CITY / ZIP: OVILLA, 75154

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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: GOLF CARTS A GOOD IDEA IN SOME  
NEIGHBORHOODS - IT WOULD BE IN A HARMONIC GULF

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

Yes  No

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"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 Bob Squires"

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



Place Four Council, Doug Hunt  
Place Five Council, Michael Myers  
City Manager, John R. Dean, Jr.

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The form must be complete.

DATE: 4/10/18

PHONE: (972)935-8338

DO YOU RESIDE WITHIN THE CITY LIMITS OF OVILLA? Yes YES        NO

NAME: Perry Kaemmerling

ORGANIZATION / DEPARTMENT: \_\_\_\_\_

ADDRESS: 907 Slippery Elm Dr

CITY / ZIP: Oville 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: 9 (Golf Carts)

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: \_\_\_\_\_

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

Yes  No

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



Place Four Council, Doug Hunt  
Place Five Council, Michael Myers  
City Manager, John R. Dean, Jr.

## WELCOME TO THE CITY OF OVILLA CITIZENS FORUM

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The form must be complete.

DATE: 9-10-18

PHONE: 214-674-8422

DO YOU RESIDE WITHIN THE CITY LIMITS OF OVILLA?  YES  NO

NAME: Mary Cavanaugh

ORGANIZATION / DEPARTMENT: AGHDA

ADDRESS: 108 Nob Hill

CITY / ZIP: 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: \_\_\_\_\_

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 \_\_\_\_\_"

# CITY OF OVILLA MINUTES

*Wednesday, August 29, 2018*

**Special City Council Meeting/Public Hearing Tax Rate  
105 S. Cockrell Hill Road, Ovilla, TX 75154**

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Mayor Dormier called the Special Council Meeting of the Ovilla City Council to order at 5:33 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
Absent: Michael Myers	Council Member, Place 5

Mayor Dormier announced present Council members, noting the absence of Place 5 Myers, thus, constituting a quorum. City Manager John R. Dean, Jr., department directors and various staff were also present.

## CALL TO ORDER

Mayor Dormier gave the Invocation and PL1 Huber led the recitation of the US Pledge and the Texas Pledge.

## COMMENTS/PRESENTATIONS & REPORTS

None.

## PUBLIC HEARING

Mayor Dormier opened the Public Hearing at 5:35 p.m. to receive public comments on the proposed tax rate for Fiscal Year 2018-19:

**PUBLIC HEARING AND DISCUSSION – A TAX RATE of \$0.660000 per \$100 valuation proposed by the governing body of the City of Ovilla, with a Maintenance and Operation Rate of 0.533417 and a debt rate of 0.126583.**

PROPOSED TAX RATE	\$0.660000 PER \$100
PRECEDING YEAR'S TAX RATE	\$0.680399 PER \$100
EFFECTIVE TAX RATE	\$0.621776 PER \$100
ROLLBACK TAX RATE	\$0.662271 PER \$100

There was no one to speak.

Mayor Dormier closed the Public Hearing at 5:35 p.m.

## REGULAR AGENDA

ITEM 1. **DISCUSSION/ACTION** – Consideration of and action on staff recommendation to award Community Waste Disposal as the City's franchise provider for solid waste collection and disposable recyclable materials, directing the city manager to conduct negotiations and return to Council to consider an agreement.

City Manager John Dean gave a brief overview of the bid tabulation sheet. The Bid Tab Sheet outlined the costs for residential service including all of the offered alternates. The apparent low bidder was Community Waste Disposal (CWD). If awarded, CWD proposed picking up 2 cubic yards of bulky waste per week instead of the current method of 4 cubic yards being picked up every other week. CWD explained their desires to making collection in this manner because they intend to use the same vehicles for solid waste, bulky items and brush.

Mayor Pro Tem Griffin moved to approve selecting and awarding Community Waste Disposal as the City's franchise provider for solid waste collection and disposable recyclable materials, directing the city manager to conduct negotiations and return to Council to consider an agreement, seconded by PL4 Hunt.

*No oppositions, no abstentions. PL5 Myers absent.*

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

**ITEM 2. DISCUSSION/ACTION** – Receive recommendation from the Planning and Zoning Commission to consider and act on a screening wall along Shiloh Road for Bryson Manor Phase II.

City Manager John Dean advised the following:

1. Screening or perimeter fence/walls are required by code for subdivisions greater than two lots along major thoroughfares identified in the thoroughfare plan. The only major thoroughfare identified along Bryson Manor is Shiloh Road.
2. Mr. Massey Shaw, the developer of Bryson Manor, was present and requested the approval of building the wall along Shiloh Road (wall to be consistent with other developments) so that Phase II of the subdivision can begin selling lots and building homes.
3. Mr. Shaw also requested a design to be approved that is very similar to the one along Cumberland Forest.
4. Once established, the HOA will be responsible for the maintenance of the wall.
5. The wall was recommended for approval by the Planning and Zoning Commission, contingent on the HOA putting in the Charter that the HOA will be responsible for the maintenance of the fence/wall.
6. HOA (Home Owners Association) language has been changed (amendment to HOA bylaws) to clarify that the developer is responsible for building the fence/wall and the HOA is responsible for maintaining the fence/wall.

PL4 Hunt moved to approve the addition to the Bryson Manor Phase II Final Plat for a residential subdivision screening wall to be constructed around the perimeter of Bryson Manor Phase II Subdivision, seconded by PL2 Oberg.

*No oppositions, no abstentions. PL5 Myers absent.*

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

**ITEM 3. DISCUSSION/ACTION** – Consideration of and action to clarify Chapter 3, Section 3.06.007 (5) regarding signs placed or affixed to vehicles and direct staff as necessary.

Staff requested City Council's interpretation and clarification on Section 3.06.007 of the Code.

**Excerpt from the Code of Ordinances:**

**Sec. 3.06.007 Prohibited signs**

A person commits an offense if the person installs, constructs, repairs, alters, or relocates a sign described below, except as otherwise permitted in this article:

(5) Signs placed on or affixed to vehicles and/or trailers which are parked on a public right-of-way, public property, or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity located

on the same or nearby property. However, this does not prohibit signs placed on vehicles and trailers that are incidental to the primary use or ownership of the vehicle or trailer as transportation.

Staff and Council discussed the use of feather signs and the need to create positive relationships with the local businesses, to include helping them advertise. Issues discussed were the limited areas in the downtown and the importance to keep that area from looking overly crowded with banner signs. Staff will continue to review Ovilla's Code of Ordinances and look at neighboring municipalities codes. **No Action.**

#### **EXECUTIVE SESSION**

Mayor Dormier, Council, City Manager John Dean and the certain staff went into Executive Session at 6:18 p.m. pursuant to Section 552.072 of the TX Government Code to review the following:

Closed Meeting called pursuant to Texas Government Code §551.072 – Real Property.

**ITEM 1.** **DISCUSSION/ACTION** – Closed session called pursuant to Section 551.072 of the Texas Government Code to deliberate the purchase, exchange, lease, or value of real property.

Mayor Dormier, Council, the city manager and certain staff reconvened into Regular Session at 6:41 p.m. Mayor Dormier announced that no decisions were made in Executive Session.

No action was taken in open session.

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

1. Mayor Dormier	None
2. PL1 Huber	None
3. PL2 Oberg	Discuss condition of 101 Oakwood
4. PL3 Griffin	None
5. PL4 Hunt	None
6. PL5 Myers	Absent
7. City Manager	None

#### **ADJOURNMENT**

PL2 Oberg moved to adjourn the meeting, seconded by PL4 Hunt. There being no further business, Mayor Dormier adjourned the meeting at 6:43 p.m.

ATTEST:

Richard Dormier, Mayor

Pamela Woodall, City Secretary

*Approved October 09, 2018*

Executive Session sealed and filed separately.

# CITY OF OVILLA MINUTES

**Monday, August 20, 2018**

**Special City Council Meeting/Public Hearing Tax Rate  
105 S. Cockrell Hill Road, Ovilla, TX 75154**

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Mayor Dormier called the Special Council Meeting of the Ovilla City Council to order at 5:31 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
David Griffin	Mayor Pro Tem, Place 3
Doug Hunt	Council Member, Place 4

Absent:	Dean Oberg	Council Member, Place 2
	Michael Myers	Council Member, Place 5

Mayor Dormier announced present Council members, noting the absence of Place 2 Oberg and Place 5 Myers, thus, 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 and Mayor Dormier led the recitation of the US Pledge and the Texas Pledge.

## COMMENTS/PRESENTATIONS/MAYOR ANNOUNCEMENTS

None.

## PUBLIC HEARING

Mayor Dormier opened the Public Hearing at 5:34 PM to receive public comments on the proposed tax rate for Fiscal Year 2018-19:

**PUBLIC HEARING AND DISCUSSION - A TAX RATE of \$0.660000 per \$100 valuation proposed by the governing body of the City of Ovilla, with a Maintenance and Operation Rate of 0.533417 and a debt rate of 0.126583.**

PROPOSED TAX RATE	\$0.660000 PER \$100
PRECEDING YEAR'S TAX RATE	\$0.680399 PER \$100
EFFECTIVE TAX RATE	\$0.621776 PER \$100
ROLLBACK TAX RATE	\$0.662271 PER \$100

There was no one to speak.

Mayor Dormier closed the Public Hearing at 5:35 PM.

## EXECUTIVE SESSION

Mayor Dormier read aloud the following: *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, Council, City Manager John Dean and the city secretary went into Executive Session at 5:35 p.m. pursuant to Section 552.072 of the TX Government Code to review the following:

Closed Meeting called pursuant to Texas Government Code §551.072 – Real Property.  
ITEM 1. **DISCUSSION/ACTION** – Closed session called pursuant to Section 551.072 of the Texas Government Code to deliberate the purchase, exchange, lease, or value of real property.

Mayor Dormier, Council, the city manager and the city secretary reconvened into Regular Session at 5:44 p.m. Mayor Dormier announced that no decisions were made in Executive Session. No action was taken in open session.

**REQUESTS FOR FUTURE AGENDA ITEMS AND/OR ANNOUNCEMENTS BY COUNCIL AND STAFF**  
None.

**ADJOURNMENT**

PL1 Huber moved to adjourn the meeting, seconded by PL4 Hunt. There being no further business, Mayor Dormier adjourned the meeting at 5:45 p.m.

ATTEST:

Richard Dormier, Mayor

Pamela Woodall, City Secretary

*Approved October 09, 2018*

*Executive Session sealed and filed separately.*

## PUBLIC HEARING & PH ITEM 1

Meeting Date: October 09, 2018

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted By: John R. Dean, Jr., CM

Amount: \$ N/A

Reviewed By:  City Manager  City Secretary  City Attorney

Accountant

Deputy City Secretary

### Attachments:

1. Notice
2. Ordinance
3. Planning and Zoning Recommendation

### Agenda Item / Topic:

**PUBLIC HEARING** – Receive public comment on Ordinance 2018-22, amending the Land Use Table of Article 2, Section 11.3 of the Ovilla Comprehensive Zoning Ordinance, No. 2010.013 as amended; providing for a winery in specified areas and removing the specified uses for a Dwelling Guesthouse; amending Article 6, Section 53.1 “General Definitions” of the Comprehensive Zoning Ordinance NO. 2010.013 as amended; providing a definition of “Winery”; providing a savings clause, providing a severability clause; providing an effective date; and providing for publication.

- *Staff Presentation*
- *Public Comment*
- *Council deliberation*

The following are EXCERPTS FROM CODE:

Section 53 – Definitions

#### 53.1 GENERAL DEFINITIONS

*Dwelling, Guesthouse, A residential dwelling, which may include living, sleeping, bathing, and kitchen facilities but is secondary to the main dwelling structure and is used solely for habitation of guests on a temporary basis and with no compensation, either monetary or in-kind.*

By leaving the definition for dwelling guest house and the term in the use table in the code it prevents this type of structure from being allowed to be built for this purpose.

**PH-ITEM 1. DISCUSSION/ACTION** – Receive recommendation report from the Planning and Zoning Commission to consider and take action on Case No. PZ18.09, Ordinance 2018-22 of the City of Ovilla, Texas, amending the Land Use Table of Article 2, Section 11.3 of the Ovilla Comprehensive Zoning Ordinance No. 2010.013 as amended; providing for a winery in specified areas and removing the specified uses for a Dwelling Guesthouse; amending Article 6, Section 53.1 “General Definitions” of the Comprehensive Zoning Ordinance No. 2010.013, as amended; providing a definition of “Winery”; providing a savings clause, providing a severability clause; providing an effective date; and providing for publication.

### Discussion / Justification:

Staff recommends approval.

### Motion

I move to approve/deny Ordinance 2018-22 of the City of Ovilla, Texas, amending the Land Use Table of Article 2, Section 11.3 of the Ovilla Comprehensive Zoning Ordinance No. 2010.013 as amended; providing for a winery in specified areas and removing the specified uses for a Dwelling Guesthouse; amending Article 6, Section 53.1 “General Definitions” of the Comprehensive Zoning Ordinance No. 2010.013, as amended; providing a definition of “Winery”; providing a savings clause, providing a severability clause; providing an effective date; and providing for publication.

**CITY OF OVILLA  
NOTICE OF PUBLIC HEARING**

NOTICE is hereby given to all interested persons that the Planning & Zoning Commission of the City of Ovilla, Texas, will conduct a public hearing on **Monday, October 01, 2018 at 6 o'clock p.m.** at the Ovilla Municipal Building, Council Chamber Room, 105 S. Cockrell Hill Road, Ovilla, Texas for the purpose of obtaining public comment regarding the following:

**AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, AMENDING THE LAND USE TABLE OF ARTICLE 2, SECTION 11.3 OF THE OVILLA COMPREHENSIVE ZONING ORDINANCE NO. 2010.013, AS AMENDED; PROVIDING FOR A WINERY IN SPECIFIED AREAS AND REMOVING THE SPECIFIED USES FOR A DWELLING, GUESTHOUSE; AMENDING ARTICLE 6, SECTION 53.1 "GENERAL DEFINITIONS" OF THE COMPREHENSIVE ZONING ORDINANCE NO. 2010.013, AS AMENDED; PROVIDING A DEFINITION OF "WINERY;" PROVIDING A SAVINGS CLAUSE, PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.**

The Ovilla City Council will consider and act on the Ordinance amending the land use table and text of Article 2, Section 11.3 and Article 6, section 53.1 of the Ovilla Comprehensive Zoning Ordinance after it receives a final report and recommendation from the Planning and Zoning Commission. (LCG §211.007) The scheduled date for the second public hearing, consideration and action **Tuesday, October 09, 2018 at 6:30 o'clock p.m.**, during a regularly scheduled City Council meeting.

All interested persons are invited to attend and share comments. Written comments will also be accepted by mail addressed to Glennell Miller, Deputy City Secretary, 105 S. Cockrell Hill Road, Ovilla, TX 75154, email [gmiller@cityofovilla.org](mailto:gmiller@cityofovilla.org), or fax 972-515-3221. For additional information regarding this notice, please contact City Secretary Pam Woodall, [pwoodall@cityofovilla.org](mailto:pwoodall@cityofovilla.org).

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, AMENDING THE LAND USE TABLE OF ARTICLE 2, SECTION 11.3 OF THE OVILLA COMPREHENSIVE ZONING ORDINANCE NO. 2010.013, AS AMENDED; PROVIDING FOR A WINERY IN SPECIFIED AREAS AND REMOVING THE SPECIFIED USES FOR A DWELLING, GUESTHOUSE; AMENDING ARTICLE 6, SECTION 53.1 "GENERAL DEFINITIONS" OF THE COMPREHENSIVE ZONING ORDINANCE NO. 2010.013, AS AMENDED; PROVIDING A DEFINITION OF "WINERY;" PROVIDING A SAVINGS CLAUSE, PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City Council adopted Ordinance No. 2010.013 establishing comprehensive zoning regulations for the City of Ovilla on June 14, 2010 (herein the "Zoning Ordinance"); and

WHEREAS, Article 6 "Definitions" of the Zoning Ordinance contains Section 53.1 entitled "General Definitions" which provides a definition of "Dwelling, Guesthouse;" and

WHEREAS, a "Dwelling, Guesthouse" is currently a permitted use in the R-C and R-E zoning districts and specially permitted use in the R-22, R-15 and R-D zoning districts; and

WHEREAS, the City Council finds and determines that the use of a "Dwelling, Guesthouse" in the City is not desirable use; and

WHEREAS, the City Council desires to eliminate the ability to construct and use a "Dwelling, Guesthouse" in the City of Ovilla; and

WHEREAS, the City Council desires to add a winery as a permitted use in the CR, CG and I zoning districts; and

WHEREAS, the City of Ovilla caused a notice of public hearings before the Planning & Zoning Commission and the City Council regarding adoption of this Ordinance to be published in an official Ellis County newspaper on September 14, 2018; and

WHEREAS, the Planning and Zoning Commission held a public hearing regarding the adoption of this Ordinance on October 01, 2018; and

WHEREAS, following its public hearing, the Planning and Zoning Commission forwarded its recommendation regarding this Ordinance to the City Council; and

WHEREAS, the City Council held a public hearing and accepted comments from the public regarding this Ordinance on October 09, 2018.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, THAT:

**SECTION 1. AMENDMENT TO ARTICLE 2, SECTION 11.3 OF THE ZONING ORDINANCE OF THE CITY OF OVILLA**

Article 2, Section 11.3 Land Use Table of the Zoning Ordinance of the City of Ovilla is hereby amended to read as is provided in Exhibit A attached to hereto.

**SECTION 2. AMENDMENT TO ARTICLE 6, SECTION 53.1 OF THE ZONING ORDINANCE OF THE CITY OF OVILLA**

Article 6, Section 53.1 of the Zoning Ordinance of the City of Ovilla is hereby amended by the addition of the following definition:

*Winery.* The manufacturing, bottling, labeling and packaging of wine containing not more than 24 percent alcohol by volume from grapes, fruits or berries grown on premise or imported and to include the manufacturing and importation of fruit brandy for fortifying purposes only. Wine sales may be made to holders of wholesaler's permits, winery permits, and wine bottler's permits. Retail sales may be made to ultimate consumers for consumption on the winery premises. A winery may include the following accessory uses: a tasting room to dispense wine for on-premises consumption, meeting/banquet facilities, restaurants and retail sales area of wine for off-premises consumption. All sales and dispensing of wine as set forth in this definition is subject to the provisions of Section 16.011 of the Texas Alcoholic Beverage Code.

**SECTION 3. SAVINGS CLAUSE**

In the event that any other Ordinance of the City of Ovilla, Texas, heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail.

**SECTION 4. SEVERANCE CLAUSE**

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 5. EFFECTIVE DATE**

Because of the nature of interest and safeguard sought to be protected by this Ordinance and in the interest of the citizens of the City of Ovilla, Texas, this Ordinance shall take effect immediately after passage, approval and publication, as required by law.

**SECTION 6. PUBLICATION**

The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

**PASSED, APPROVED and ADOPTED** by the City Council of the City of Ovilla, Texas, on this the **09** day of October 2018.

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Richard Dormier, Mayor

ATTEST:

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Pamela Woodall, City Secretary

APPROVED AS TO FORM:

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Ron G. MacFarlane, Jr., City Attorney



## City of OVILLA Planning & Zoning Commission Recommendation

**ITEM 1.** **DISCUSSION/ACTION – PZ18.09** – To review and forward recommendation of approval to the City Council, for a request for an Ordinance of the City of Ovilla, Texas, amending the Land Use Table of Article 2, Section 11.3 of the Ovilla Comprehensive Zoning Ordinance No. 2010.013 as amended; providing for a winery in specified areas and removing the specified uses for a Dwelling Guesthouse; amending Article 6, Section 53.1 “General Definitions” of the Comprehensive Zoning Ordinance No. 2010.013, as amended; providing a definition of “Winery”; providing a savings clause, providing a severability clause; providing an effective date; and providing for publication.

\*\*\*\*\*

**PLANNING AND ZONING** Members present, and upon a record vote of:

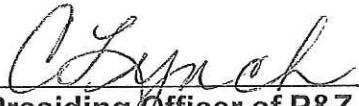
PL 1 Jungman AYE  
PL2 Yordy AYE  
PL3 Lynch AYE  
PL4 Whittaker AYE

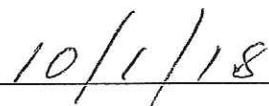
PL5 VACANT —  
PL6 Hart AYE  
PL7 Zimmermann —

5 FOR

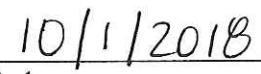
0 AGAINST

0 ABSTAIN

\*\*\*\*\*  
  
Presiding Officer of P&Z

  
Date

  
Board Secretary

  
Date

## PUBLIC HEARING & PH ITEM 2

Meeting Date: October 09, 2018

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted By: John R. Dean, Jr., CM

Amount: \$ N/A

Reviewed By:  City Manager  City Secretary  City Attorney  
 Accountant  Deputy City Secretary

### Attachments:

1. PH Notice and letter to owner
2. Photos

### Agenda Item / Topic:

**PUBLIC HEARING** – Receive public comment on a code violation abatement, “Nuisance Outside Storage”, Section 8.02 of the Ovilla Code of Ordinances at the property designated as Lot 9, Block 2, Brookwood #2, Ovilla, Ellis County, Texas 75154, more commonly known as 101 Oakwood.

- *Staff Presentation*
- *Public Comment*
- *Council deliberation*

**PH-ITEM 2. DISCUSSION/ACTION** – Consideration of and action on a code violation abatement, “Nuisance Outside Storage”, Section 8.02 of the Ovilla Code of Ordinances, at the property designated as Lot 9, Block 2, Brookwood #2, Ovilla, Ellis County, Texas 75154, more commonly known as 101 Oakwood.

### Discussion / Justification:

Staff recommends approval.

### Motion

I move to approve/deny a code violation abatement, “Nuisance Outside Storage”, Section 8.02 of the Ovilla Code of Ordinances, at the property designated as Lot 9, Block 2, Brookwood #2, Ovilla, Ellis County, Texas 75154, more commonly known as 101 Oakwood.

**PUBLISH – Thursday, September 20**

**CITY OF OVILLA  
NOTICE OF PUBLIC HEARING  
NOTICE OF ABATEMENT**

Notice is hereby given to all interested persons that the City Council of the City of Ovilla will conduct a Public Hearing during a regularly scheduled Council Meeting on Tuesday, October 09, 2018 at 6:30 p.m. at the City of Ovilla Municipal Building, Council Chamber Room, located at 105 South Cockrell Hill Road, Ovilla, Texas for the purpose of obtaining public comment regarding the following:

The Ovilla City Council will consider and act on a code violation abatement at the property designated as Lot 9 Block 2 Brookwood #2, Ovilla, Ellis County, Texas 75154, more commonly known as 101 Oakwood. The hearing is in reference to “Nuisance Outside Storage” under Section 8.02 of the Code of Ordinances of the City of Ovilla, Texas.

All interested persons are invited to attend and share comments. For additional information regarding this notice, please contact City Secretary Pam Woodall, [pwoodall@cityofovilla.org](mailto:pwoodall@cityofovilla.org).

September 13, 2018

DELIVERED ON SITE  
CERTIFIED MAIL —

Del L. Urbanczyk and Sharon M. Scott Revocable Living Trust  
101 Oakwood  
Ovilla Texas 75154

RE: Property Abatement Notice-101 Oakwood, Ovilla, TX 75154

Dear Property Owner:

You are being contacted to inform you of a Nuisance Abatement hearing scheduled for Tuesday, October 9, 2018 at 6:30 p.m. at the City of Ovilla City Hall located at 105 South Cockrell Hill Road. This hearing is regarding abatement proceedings of the code violation on your property, Lot 9 Block 2 Brookwood #2 (101 Oakwood), in Ovilla, Texas 75154. The City of Ovilla is notifying you of the following:

Sec. 8.02.010 Notice of public hearing

A written notice of the public hearing before the city council shall be served to the property owner at least ten (10) days prior to the date set for the public hearing. Service shall be made upon the owner by personal service, or by certified or registered mail. If there is no known address of the owner, the notice shall be sent in care of the property address and notice of the hearing shall be published in a newspaper of general circulation in the city at least ten (10) calendar days before the hearing. The failure of any person to receive such notice shall not affect the validity of the proceedings.

This hearing is in reference to **Nuisance Outside Storage**. **Section 8.02 of the Ovilla City Code of Ordinances** states that the City prohibits the accumulation of containers of any type, including trash receptacles, miscellaneous industrial equipment, miscellaneous items cluttering the driveway, front or side entry carports or unfinished enclosures visible from the street, when not screened by a screening fence.

Nuisance outside storage is also defined as storage or accumulation outside of an enclosed structure including the storage or accumulation under a front or side entry carport or covered patio or unfinished enclosure or other projecting overhang on any lot, tract or parcel of land or portion thereof of any objectionable, cluttered, impure, unwholesome, filthy or unsanitary matter including the storage or accumulation of the following items that present health or safety standards:

- (A) New, broken, inoperable, deteriorated, dismantled or discarded indoor (nonweather resistant) furniture, appliances, machines, tools, boxes, tool boxes, cartons, lawn maintenance equipment, fertilizer, lawn mulch, and flower or flowerbed additives;
- (B) New, used, deteriorated or discarded building materials, including, but not limited to loose bricks, stones, fence material or supplies;

(C) Wet, broken or leaking barrels or boxes;

(D) New, used, discarded, or broken automotive, truck, lawn maintenance, industrial equipment tools or boat parts or equipment including engines, transmissions, electrical parts, suspension parts, vehicle body parts, batteries, tires, wheels, hubcaps and other motor vehicle parts, discarded boats, discarded tractors, discarded trailers, discarded industrial equipment;

(E) Trash, garbage or other refuse;

(F) Any other material, which tends to decay or become putrid or provides harborage for rodents and other vermin; or

Upon recommendation by the City Council authorized personnel may remove any and all items and or articles that constitute a violation of the Nuisance outside Storage ordinance property owner will be held responsible for any and all cost of removal and storage of such items.

If you have any questions, please contact me at 972/617-7262.

Sincerely,

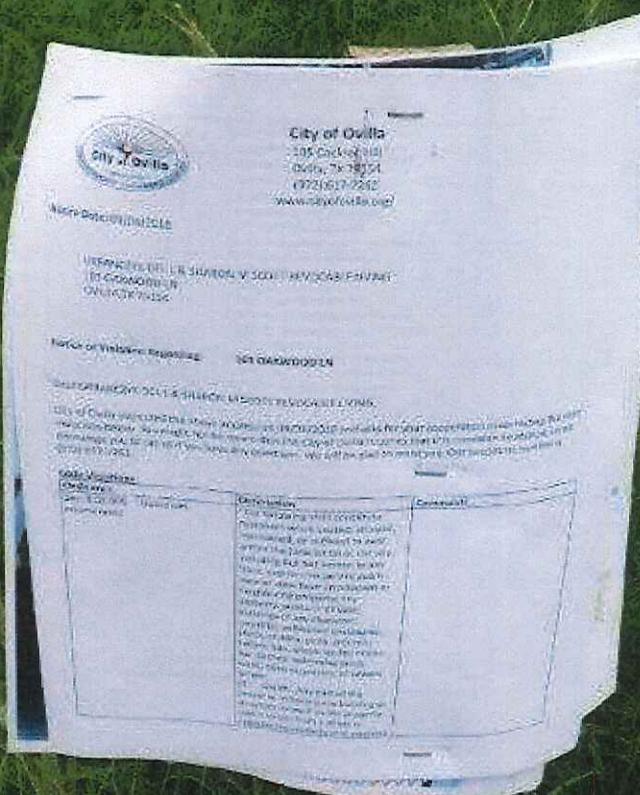
Mike Dooly  
Code Compliance Officer  
972-617-7262

Enclosures: Photos of 101 Oakwood

CC: John R. Dean, Jr., City Manager



9 10 2018 14:32



9/10/2018 14:32



9.10.2018 14:32

## AGENDA ITEM REPORT

### Item 1

Meeting Date: October 09, 2018

Department: Administration/Code

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted By: John R. Dean, Jr., CM

Amount: \$ N/A

Reviewed By:  City Manager  City Secretary  City Attorney  
 Accountant  Code M. Dooly

#### Attachments:

1. Revised Site Plan application documents.
2. Code Excerpts

#### Agenda Item / Topic:

**ITEM 1. DISCUSSION/ACTION** – Consideration of and action on a revised Site Plan Application submitted by Pamilee Koval, as authorized by Thomas Waits, to add a free-standing canopy, located at 713 W. Main Street, Ovilla, TX 75154, authorizing the city manager to approve a building permit.

#### Discussion / Justification:

Applicant has added a detached canopy next to the existing framed-storage building, permitted to sell snow-cones. In August 2018 applicant submitted a SUP with Site Plan documents and was directed by Council to revise the existing structure which was erected prior to acquiring a permit.

Section 24 – H of the Historic District specifies certain materials in the Historical Overlay District for exterior buildings:

1. Traditional materials of similar buildings in Ovilla
2. Wood, limestone, field stone, brick
3. New designs should be of historic styles and designs.

Applicant has returned, submitting new documents that include a photo illustrating revisions of the existing canopy.

Council's direction

#### Sample Motion(s):

I move to approve/deny the revised Site Plan Application submitted by Pamilee Koval, as authorized by Thomas Waits, to add a free-standing canopy, located at 713 W. Main Street, Ovilla, TX 75154, authorizing the city manager to approve a building permit.

## CODE Excerpts

### 24.4 REGULATIONS AND REQUIREMENTS

The following regulations and requirements shall apply in the Historical Overlay district. The regulations for the underlying zoning districts shall apply unless otherwise revised herein or in the motion approving the site plan.

C. Roof Height. The height of the cornice and the roof ridge(s) should also fit within the range of dimensions of traditional or historic residences in the district.

### 26.1 GENERALLY

Whenever a site plan is required by this ordinance, the site plan must conform to the requirements of this section. Unless otherwise specified in this ordinance, all site plans must be approved by the City Council, upon recommendation of the Planning and Zoning Commission. The site plan submitted in support of an application must satisfy the requirements for site plan submittals as set forth by the city staff. Site plans shall be reviewed by the city staff, and comments shall be returned within a reasonable time after review.

### 26.3 CHANGES TO THE SITE PLAN

A. Approval Required. Except as otherwise provided in subsection C below, any site plan that is amended shall require approval of the City Council, upon recommendation of the Planning and Zoning Commission.

Minor Changes. Changes of details within a site plan which do not alter the basic physical relationship of the property to adjacent properties; do not alter the use permitted; and do not increase the density, floor area, height, or reduce the yards provided at the boundary of the site as indicated on the approved site plan, may be authorized by the Administrative Official.

## Chapter 3 Building Regulations

Masonry Canopy Columns. Any canopy system must provide columns constructed of similar masonry material as the primary structure.

Awning. An architectural projection which provides weather protection, identity, or decoration, and is supported by the building to which it is attached. It is composed of a lightweight rigid or retractable skeleton structure over which another cover is attached, which may be of fabric or other material. Such sign may be raised or retracted to a position against the building, and may be illuminated.



ga·ze·bo

NOUN

a roofed structure that offers an open view of the surrounding area, typically used for relaxation or entertainment.





**APPLICATION FOR SITE PLAN**  
**Subject Property Information**

Applicant Pamilee Kovel Site Plan 469.323.1407

Mailing Address 121 Water Street

Property General Location 713. W. Main

Current Zoning: Commercial - residential

Area in Subdivision: 1 Total Acres Number of Lots Average Lot Size

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Engineer or Land Planner Pamilee Kovel Phone 469.323.1407

Company: \_\_\_\_\_

Mailing Address 121 Water St. Ovilla Texas

City Limits Extraterritorial Jurisdiction (ETJ)

Subdivision Name \_\_\_\_\_

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**18.8 SITE PLAN REQUIRED**

A site plan must be approved by the City Council, upon recommendation of the Planning and Zoning Commission and in accordance with Section 26 Site Plan Requirements of the Ovilla Code of Ordinances.

**24.4 REGULATIONS AND REQUIREMENTS**

The following regulations and requirements shall apply in the Historical Overlay district. The regulations for the underlying zoning districts shall apply unless otherwise revised herein or in the motion approving the site plan.

A. Massing. A building should be of appropriate human-scale, with mass and size similar to those in the adjacent block-face or within the historic overlay district.



### 26.3 CHANGES TO THE SITE PLAN

A. Approval Required. Except as otherwise provided in subsection C below, any site plan that is amended shall require approval of the City Council, upon recommendation of the Planning and Zoning Commission.

B. Amendment Affecting Use. Changes to the site plan which will affect the use of the land may require either an amendment to a Planned Development or a rezoning of property, whichever applies.

C. Minor Changes. Changes of details within a site plan which do not alter the basic physical relationship of the property to adjacent properties; do not alter the use permitted; and do not increase the density, floor area, height, or reduce the yards provided at the boundary of the site as indicated on the approved site plan, may be authorized by the Administrative Official. An aggrieved party may appeal the decision of the Administrative Official to the Zoning Board of Adjustment in accordance with the provisions of this ordinance.

### 26.4 COUNCIL APPROVAL

Upon City Council approval of a site plan that accompanies a zoning change request, the site plan shall become part of the amending ordinance.

### 26.5 SITE PLAN HEARING NOTICES

A. Notice to Owners. The Administrative Official shall send notice to owners of record of property within two hundred (200) feet of the property under consideration of a site plan consideration by the Planning and Zoning Commission.

B. Sign Required. The City Administrator shall cause at least one (1) sign to be erected on the property for which the site plan consideration of the Planning and Zoning Commission has been requested. The sign shall have total area of at least four (4) square feet and shall be located adjacent to the street. Such sign shall be erected on or before the first notice to property owners and shall be removed immediately after final action by the City Council, or when the applicant withdraws the request, whichever comes first. The sign shall contain a notice of hearing on a site plan and the telephone number of the public official from whom dates of public hearing may be obtained. The erection or continued maintenance of signs shall not be deemed a condition precedent to the granting of any site plan recommendation or approval or the holding of any public hearing.

C. Site Plans with No Zoning Change Requested. City Council approval of a site plan required for the issuance of a building permit for a structure on a site for which no zoning change has been requested, or which is not in a planned development district shall not constitute an official public hearing as required by state law. Notice of the consideration of the site plan by the City Council

in the posted agenda of the Council shall be sufficient notice for the purposes of approving a site plan by City Council action for the issuance of a building permit.

## 26.6 SITE PLAN CONSIDERATION

In considering, granting, or denying an application for a site plan as provided for in this ordinance, the Planning and Zoning Commission and the City Council shall take into consideration the following factors:

- A. Ordinance Compliance. Compliance with the Zoning Ordinance, the Subdivision Ordinance, and all other ordinances of the City; and
- B. Public's Health, Safety and Welfare. Such other measures as will secure and protect public health, safety, morals, and general welfare.

## 26.7 SITE PLAN CONTENT

A. Requirements. The site plan shall contain the information:

1. The boundary lines and dimensions of the property, existing subdivision lots, available utilities, easements, roadways, sidewalks, emergency access easements, and public rights-of-way;
2. Topography of the property proposed for development in contours of not more than two feet, apart with any proposed grade elevations, if different from existing elevations. (Note: If the natural contour of the land is to be altered or changed in any location on the property more than four (4) feet, the site plan must provide detailed information on the proposed grading plan. This information shall include the correlation of the proposed grading plan to the surrounding properties and the use of those surrounding properties and shall include information indicating the drainage and the line of sight effect the proposed grading plan will have on the surrounding properties;
3. One-hundred year floodplains, water courses, marshes, drainage areas, and other significant environmental features including, but not limited to, rock outcroppings and major tree groupings. Topographic and drainage map information provisions may be waived by the reviewing body when the inclusion of such data would not materially contribute to the necessary evaluation of the project petition;
4. The location of existing trees, including notations of those trees to be preserved;
5. The location and proposed uses of all existing and proposed buildings or structures, including all refuse storage areas, and the minimum distance between buildings. Where building complexes are proposed, the location of each building and

the minimum distances between buildings, and between buildings and the property line, street line, and/or alley shall be submitted. For buildings more than one (1) story in height, elevations and/or perspective drawings shall be required in order that the relationship of the buildings to adjacent property, open spaces, and to other features of the development plan may be determined. The drawings must indicate the square footage, the height, number of floors and exposures for access, light, and air. A designation of the maximum building coverage of the site shall be indicated on the site plan;

6. Total number, location, and arrangement of off-street parking and loading spaces, where required. The plan should include a table of the required and proposed off-street parking and off-street loading spaces with the building area;
7. All points of vehicular ingress, egress, and circulation within the property and all special traffic regulation facilities proposed or required to assure the safe function of the circulation plan;
8. Setbacks, lot coverage, and when relevant, the relationship of the setbacks provided and the height of any existing or proposed building or structure;
9. The location, size, and arrangement of all outdoor signs, exterior auditory speakers, and lighting;
10. The type, location, and quantity of all plant material used for landscaping, and the type, location, and height of fences or screening and the plantings around them. When necessary to protect the public health, safety, or welfare, the City Council or the Planning and Zoning Commission may require landscaping and screening requirements to be in place prior to the start of construction pursuant to an approved site plan;
11. Where multiple types of land uses are proposed, a delineation of the specific areas to be devoted to various land uses;
12. Vicinity map, north point, scale, name of development, name of owner, name of planner, total acreage of project, and street address or common description of the property;
13. Current land uses and zoning district of the property and current land uses and zoning districts of contiguous properties and buildings on the exterior of the site and within twenty-five (25) feet of all property lines;
14. Existing buildings on the exterior of the site and within one hundred (100) feet of all property lines;

15. The location and size of existing and proposed surface and subsurface drainage facilities, including culverts, drains, and detention ponds, showing size and direction of flow;
16. The number of square feet of the property after construction which will constitute impervious area or impervious surface and vegetated areas;
17. Roadway speeds and distances of adjacent driveways from all proposed driveways and streets;
18. Architectural drawings, such as elevations, concept sketches or renderings depicting building types and other significant proposed improvements including the treatment and use of open spaces, etc., where the submission of such drawings would more clearly portray the nature and character of the applicant's land use and development proposals;
19. Legal description of the total site area proposed for rezoning, development or specific use permit;
20. Signature and title of the applicant, certifying the information presented in the plans, and supporting documents reflect a reasonably accurate portrayal of the nature and character of the applicant's proposals;
21. Any proposed dedications of land for public use, including easements, trails, parkland, open space and floodplain; and
22. The proposed name of the business or development.

B. Option for Single Drawing. Notwithstanding Subsection A, any or all of the required features may be incorporated on a single drawing if, in the sole discretion of the Building Official, the drawing is clear and capable of evaluation by the City Council and City Staff required to enforce and interpret this ordinance.

*Randie Kael*  
**Plan Preparer's Acknowledgement:** I have reviewed the City of Ovilla's Code and have prepared the attached Site Plan / Development Plan in accordance with those regulations.

Received on \_\_\_\_\_ Official Filing Date \_\_\_\_\_

**City of Ovilla**  
105 S. Cockrell Hill Road  
Ovilla, TX 75154  
972.617.7262  
FAX: 972.515.3221

Adding to the single frame storage building known as "Snow Place Like Home". Building and concrete work is pre-existing. Use is strictly for covering for protection of sun and rain. This is a free standing cover made of 4X4 post (treated lumber) and a metal roof. The roofing material is identical to the porch on Pickards house along with with paint colors.

Approximate size is 12X8





# DUPLICATE TAX RECEIPT



**JOHN BRIDGES RTA, CTA, CSTA**  
**ELLIS COUNTY TAX OFFICE TAX ASSESSOR - COLLECTOR**  
**P.O. DRAWER 188 · 109 S. JACKSON RM T125**  
**WAXAHACHIE, TX 75168**

**Certified Owner:**

**WAITS THOMAS G REVOCABLE L/T**  
**THOMAS G WAITS TRUSTEE**  
**PO BOX 402**  
**DESOTO , TX 75123**

**Legal Description:**

**693 J MCNAMARA 1.017 ACRES**

**Parcel Address:** 713 W MAIN ST  
**Legal Acres:** 1.0170

**Deposit No:** W171129DH  
**Validation No:** 900000050623477  
**Account No:** 187690  
**Operator Code:** HDENA

**Remit Seq No:** 36105388  
**Receipt Date:** 11/29/2017  
**Deposit Date:** 11/29/2017  
**Print Date:** 08/24/2018 11:10 AM  
**Printed By:** EULAT

Year	Tax Unit Name	Rec Type	Tax Value	Tax Rate	Levy Paid	P&I	Coll Fee Paid	Total
2017	Ellis County	TL	49,540	0.359713	178.20	0.00	0.00	178.20
2017	Ltd	TL	49,540	0.033508	16.60	0.00	0.00	16.60
2017	Midlothian Isd	TL	49,540	1.540000	762.92	0.00	0.00	762.92
2017	City Of Ovilla	TL	49,540	0.680399	337.07	0.00	0.00	337.07
					<b>\$1,294.79</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$1,294.79</b>

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**Check Number(s):**  
2219

**PAYMENT TYPE:**

**Checks:** \$1,294.79

Exemptions on this property:

**Total Applied:** \$1,294.79

**Change Paid:** \$0.00

**PAYER:**

**WAITS THOMAS G REVOCABLE L/T**  
**THOMAS G WAITS TRUSTEE**  
**PO BOX 402**  
**DESOTO , TX 75123**

**ACCOUNT PAID IN FULL**



Imagery ©2018 Google, Map data ©2018 Google 20 ft

EXHIBIT "A"  
LEGAL DESCRIPTION OF THE LAND

BEING all that certain lot, tract, or parcel of land situated in the City of Ovilla and in the J.S. McNamara Survey, Abstract No. 693, and being a part of a called 1.494 acre tract (by calculation) of land described in Volume 544, Page 305, Deed Records, Ellis County, Texas, (DRECT), and being more particularly described as follows:

BEGINNING at a railroad spike set in Main Street (a public road) for the southeast corner of this tract and same for the said 1.494 acre tract;

THENCE along the south line of this tract and same for the said 1.494 acre tract as follows:

N 89°54'45" W, (Deed - West) at approximately 33.40 feet pass a 1/2" steel rod found for the northeast corner of a tract of land called the IOOF Lodge Tract and as recorded in Volume 469, Page 135, DRECT, continuing along the north line of the IOOF Lodge Tract, in all, 148.88 feet to a 1/2" steel rod found for the northwest corner of the IOOF Lodge Tract and being the upper Northeast corner of a called 0.2556 acre tract of land described in Volume 989, Page 416, DRECT; and N 88°42'47" W, along the north line of the said 0.2556 acre tract at 47.88 feet pass the northwest corner of the said 0.2556 acre tract and the northeast corner of a called 0.796 acre tract (by calculation) of land as described in Volume 622, Page 617, DRECT, continuing along the north line of the 0.796 acre tract, in all, 61.22 feet to a 1/2" steel rod set for the southwest corner of this tract and being the southeast corner of a 0.482 acre (by calculation) tract of land conveyed out of the said 1.494 acre tract and as recorded in Volume 1343, Page 42, Official Public Records, Ellis County, Texas (OPRECT);

THENCE N 00°52'31" W, 211.01 feet (Deed - 210 feet) through the said 1.494 acre tract and along the west line of this tract and along the east line of the said 0.482 acre tract to a railroad spike set in Main Street for the northwest corner of this tract and being the northeast corner of the said 0.482 acre tract;

THENCE S 89°17'20" E, 210.12 feet (Deed - East, 210 feet) along the north line of this tract and same for the said 1.492 acre tract and along Main Street and leaving the pavement at a turn in the said street to a 1/2" steel rod set for the northeast corner of this and same for the said 1.494 acre tract;

THENCE S 00°52'31" E, 210.00 feet (Deed - South, same distance) along the east line of this tract and same for the said 1.494 acre tract and along the edge of the pavement of Main Street to the POINT OF BEGINNING and containing approximately 1.017.

# City of Ovilla

Phone: (972) 617-7262

Fax: (972) 515-3221

105 S. Cockrell Hill Rd.

Ovilla, Texas 75154

## Commercial Building Permit Application

Building Permit Number:	Valuation:			
Project Name:	Square Foot: <u>12 x 1008</u>			
Project Address:	713 W. Main			
Project Description:	New <input type="checkbox"/>	C/O <input type="checkbox"/>	Sign <input type="checkbox"/>	Irrigation <input type="checkbox"/>
	Fence <input type="checkbox"/>	Flatwork <input type="checkbox"/>	Electrical <input type="checkbox"/>	Other <input type="checkbox"/>
Scope of Work:	<u>awning over address building</u>			

Owner Information:	<u>Thomas G. Waits</u>		
Name:	<u>Pamilee Koval</u>		
Address:	<u>121 Water St. Ovilla TX</u>		
Phone Number:	Fax Number:	Mobile Number:	<u>469.323.1407</u>

Engineer	Contact Person	Phone Number	Fax Number
Architect	Contact Person	Phone Number	Fax Number
General Contractor	Contact Person <u>Russell Mathewius</u>	Phone Number <u>972.291.1339</u>	Contractor License Number "
Mechanical Contractor	Contact Person	Phone Number	Contractor License Number
Electrical Contractor	Contact Person	Phone Number	Contractor License Number
Plumbing Contractor	Contact Person	Phone Number	Contractor License Number

***A certificate of occupancy must be issued before any building is occupied.***

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

Signature of Applicant: Pamilee Koval

Date: 9-3-18

### OFFICE USE ONLY:

Approved by:		Date approved:	
City Manager:		Date approved:	

Plan Review Fee:

Permit Fees:

Building Permit Fee:

REC #

Issued Date:

Capital Recovery Fee:

Issued By:

Fire Meter:

Water Meter Cost:

Water Impact:

Sewer Connection Fee:

BV Project #

Sewer Impact:

Fire Fee:

## APPLICATION PROCEDURE

An application for a specific use permit shall be filed with the administrative official on a form prepared by the city. The application shall be accompanied by the following:

- A. Execution. A completed application form signed by the property owner;
- B. Fee. An application fee as established by the city's latest adopted schedule of fees;
- C. Tax Certificate. A certificate stating that all city and school taxes have been paid to date;
- D. Property Description. A property description of the area where the specific use permit is proposed to apply;
- E. Site Plan. A site plan complying with the requirements stated in this section which will become a part of the specific use permit, if approved; and
- F. Additional Requirements. Any other material and/or information as may be required by the Planning and Zoning Commission, the City Council or the administrative official to fulfill the purpose of this subsection and to ensure that the application is in compliance with the ordinances of the city.

## AGENDA ITEM REPORT

### Item: 2

Meeting Date: October 9, 2018

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: John R. Dean, Jr., CM

Amount: N/A

Reviewed By:  City Manager  City Secretary  City Attorney

Accountant

Other: Deputy City Secretary

#### Attachments:

1. Ordinance 2018-23

#### Agenda Item / Topic:

ITEM 2. **DISCUSSION/ACTION** – Consideration of and action on Ordinance 2018-23 of the City of Ovilla, Texas amending Chapter 1, Section 1.02.002 of the Code of Ordinances declaring an official city newspaper and declaring an effective date.

#### Discussion / Justification:

Chapter 1, Article 1, Section 1.02.002 of the Ovilla Code of Ordinances and Section 52.004 of the Local Government Code states the municipality shall declare an official newspaper annually for required publications. The Ellis County Press is the city's current newspaper on file. They publish once weekly. The Waxahachie Daily Light publishes three-times weekly.

#### Recommendation / Staff Comments:

#### Sample Motion(s):

I move that Council approve/deny Ordinance 2018-23 of the City of Ovilla, Texas amending Chapter 1, Section 1.02.002 of the Code of Ordinances declaring \_\_\_\_\_ as the official city newspaper and declaring an effective date.

## ORDINANCE 2018-23

### AN ORDINANCE OF THE CITY OF OVILLA, TEXAS AMENDING CHAPTER 1, SECTION 1.02.002 OF THE CODE OF ORDINANCES DECLARING AN OFFICIAL CITY NEWSPAPER AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Ovilla is a type A general law municipality located in Ellis and Dallas Counties, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, section 52.004 Texas Local Government Code requires the governing body of a municipality to determine, by ordinance or resolution, which public newspaper shall be the municipality's official newspaper, as soon as practicable after the beginning of each municipal year.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS:**

#### SECTION ONE

That Chapter 1, Section 1.02.002 of the Code of Ordinances, City of Ovilla, Texas is hereby amended to read as follows:

The \_\_\_\_\_, a newspaper, is hereby declared the official newspaper of the City of Ovilla, for required publications by the City.

#### SECTION TWO

This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

**PASSED AND APPROVED on the 09<sup>th</sup> day of October 2018.**

**APPROVED:**

---

Richard A. Dormier, MAYOR

**ATTEST:**

---

Pamela Woodall, CITY SECRETARY

## LOCAL GOVERNMENT CODE

Sec. 52.004. OFFICIAL NEWSPAPER. (a) As soon as practicable after the beginning of each municipal year, the governing body of the municipality shall contract, as determined by ordinance or resolution, with a public newspaper of the municipality to be the municipality's official newspaper until another newspaper is selected.

(b) The governing body shall publish in the municipality's official newspaper each ordinance, notice, or other matter required by law or ordinance to be published.

## AGENDA ITEM REPORT

### Item 3

Meeting Date: October 09, 2018

Department: Administration, Code & PW

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: John R. Dean, Jr., CM

Amount: \$N/A

Reviewed By:  City Manager  City Secretary  City Attorney  
 Accountant  Other Code and PW

#### Attachments:

1. Ordinance 2018-24

#### Agenda Item / Topic:

**ITEM 3.** ***DISCUSSION/ACTION*** – Consideration of and action on Ordinance 2018-24 of the City of Ovilla, Texas, regulating the operation of golf carts on public streets; providing for a penalty for the violation of this ordinance; providing for repealing, savings and severability clauses; providing for an effective date of this ordinance; and providing for publication.

#### Discussion / Justification:

Staff was directed to place this item on the agenda for future Council consideration. I have taken information from other cities and prepared an Ordinance that has been reviewed by the Chief of Police and City Attorney. We believe this Ordinance meets the desires of many of our residents to be able to use a golf cart on certain city streets. This Ordinance would not allow golf carts on any of the major thoroughfares identified in the thoroughfare plan as well as Bryson Lane, East Highland Road and Water Street.

I have seen this work in other cities in which I have worked. I do not recall any serious issues arising from the use of golf carts.

This Item was discussion only at the September City Council meeting. It was requested that this be brought back for Council consideration.

#### Recommendation / Staff Comments:

Act as the Council deems appropriate.

#### Sample Motion(s):

I move to approve/deny on Ordinance 2018-24 of the City of Ovilla, Texas, regulating the operation of golf carts on public streets; providing for a penalty for the violation of this ordinance; providing for repealing, savings and severability clauses; providing for an effective date of this ordinance; and providing for publication.

ORDINANCE NO. 2018-24

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, REGULATING THE OPERATION OF GOLF CARTS ON PUBLIC STREETS; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR PUBLICATION.

WHEREAS, golf cart use can help to reduce overall emissions and their use is an eco-friendly or 'green' alternative to traditional passenger vehicles; and,

WHEREAS, Chapter 551, Subchapter F, of the Texas Transportation Code, allows for the operation of golf carts within municipalities under certain conditions; and

WHEREAS, the Texas Transportation Code grants to municipalities the authority to control the operations of motor vehicles using its streets and to prescribe reasonable and safe restrictions related to the stopping, standing and parking of vehicles; and

WHEREAS, the Texas Transportation Code also permits municipalities to prohibit the operation of golf carts on a public highway if the governing body of the municipality determines that the prohibition is necessary in the interest of safety; and

WHEREAS, golf carts are not normally equipped with many of the traditional safety features that customarily required or found on more commonly-used motor vehicles; and,

WHEREAS, passenger ejection and injuries can be reduced in an urban setting by requiring additional safety equipment and providing rules of operation; and,

WHEREAS, golf carts, unlike more traditional motor vehicles, have identification numbering which is easily removed, such that establishing a golf cart registration permitting program would promote return of such property to rightful owners in the event of loss or theft and subsequent recovery; and,

WHEREAS, the City Council of the City of Ovilla, Texas ("City Council") has investigated and determined that the prohibitions set forth in this Ordinance are necessary in the interest of safety; and

WHEREAS, the City Council has further investigated and determined that it would be advantageous and beneficial to the citizens of the City of Ovilla, Texas ("Ovilla") and in the best interest of the public health, safety and welfare of the citizens and the public to establish regulations for the operation of golf carts as set forth below.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS:**

**SECTION 1:**  
**OPERATION OF GOLF CARTS ON PUBLIC STREETS**

**§ 1.01 Definitions**

The following words, terms, and phrases, when used in this article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Driver** means the person driving and having physical control over the golf cart.

## ORDINANCE NO. 2018-24

**Driver's License** means an authorization issued by a State for the operation of a motor vehicle. The term includes: (1) a temporary license or instruction permit; and (2) an occupational license.

**Golf cart** shall have the meaning assigned by the Texas Transportation Code §502.001(7), as amended, and means a motor vehicle commonly referred to as a golf cart, which must have an attainable top speed not greater than 25 miles per hour on a paved level surface and which is manufactured primarily for transporting persons on a golf course and in compliance with those federal motor vehicle safety standards for low-speed vehicles. Specifically excluded from this definition are those motorized conveyances commonly referred to as all-terrain vehicles ("ATVs"), off-road vehicles, four-wheelers, Mules, Gators and design-altered golf carts which have been altered to allow them to travel at a speed greater than 25 miles per hour.

**Motorized Cart** means those electric and gasoline powered carts, but which must have a minimum of three wheels and which have an attainable top speed not greater than 25 miles per hour on a paved level surface and which is manufactured in compliance with those federal motor vehicle safety standards for low-speed vehicles. Specifically excluded from this definition are those motorized conveyances commonly referred to as ATV's, four-wheelers, mules, and gators.

**Golf cart registration permit** shall mean a privilege granted, upon compliance with the terms of this ordinance, to legally operate a golf cart upon a public street or roadway within the corporate boundaries of the City of Ovilla during the period when granted.

**Golf cart registration permit decal** shall mean a certificate for attachment to a golf cart carrying a serial number corresponding to the number of the golf cart license for such golf cart and showing the calendar year the license shall expire.

**Golf cart registration permit fee** shall mean an administrative charge imposed as specified in this chapter for the granting of a golf cart registration permit and the issuance of a golf cart registration permit decal.

**Owner** means the person holding title to the golf cart.

**Park or parking:** The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of, and while actually engaged in, loading or unloading merchandise or passengers.

**Parking Area** means those areas accessible to the public by motor vehicular traffic and which are designated for temporary parking of motor vehicles, usually in places referred to as parking lots.

**Permit** means a certificate/decal of authorization issued to the applicant by the City authorizing the operation of the golf cart for which the permit was issued.

**Permit Holder** means the person to whom a golf cart permit has been issued.

**Public Safety Personnel** means any employee or officer of a governmental law enforcement agency or the City of Ovilla or its Department(s).

**Public Street** means the public roadways of the City of Ovilla by whatever name, e.g. road, alley, avenue, highway, route, boulevard, etc. within the corporate boundaries of Ovilla that:

- a) Has a speed limit of 35 miles per hour or less;
- b) Provides for no more than one lane of vehicular traffic per direction;
- c) Is not designated as part of either the State or Federal highway system.

***Sidewalk*** means the portion of a street that is between a curb or lateral line of a roadway and the adjacent property line and intended for pedestrian use.

***Slow-Moving-Vehicle-Emblem*** means a triangular emblem that conforms to standards and specifications adopted by the Director of the Texas Department of Transportation under Section 547.104 of the Texas Transportation Code and is displayed in accordance with Section 547.703 of the Texas Transportation Code.

***Texas Transportation Code*** means the code as it currently exists or may be amended.

***Traffic Way*** is any land way open to the public as a matter of right or custom for moving persons or property from one place to another. The traffic way includes all property, both improved and unimproved, between the property lines of a roadway system.

## **§ 1.02 Golf Carts Permitted, Restricted, and Not Permitted**

A person, other than Public Safety Personnel, may operate a golf cart on a public street, parking area and/or traffic way if the person obtains a registration permit, affixes a registration decal, and meets the following requirements:

- (a) The Maximum speed limit on the public street is thirty-five (35) miles per hour or less;
- (b) A golf cart may cross intersections, including a road or street that has a posted speed limit of more than 35 miles per hour;
- (c) The person has a valid driver's license;
- (d) The person maintains current financial responsibility for the golf cart, as required of other passenger vehicles in Section 601.051 of the Texas Transportation Code;
- (e) The person complies with all applicable federal, state and local laws and ordinances;
- (f) The golf cart has the following equipment, which must continuously remain in good working and operational order:
  - (1) Two (2) headlamps;
  - (2) Two (2) tail lamps;
  - (3) Side reflectors (two (2) front, amber in color and two (2) rear, red in color);
  - (4) Parking brake;
  - (5) Rearview mirror(s), capable of a clear, unobstructed view of at least two hundred feet (200') to the rear;
  - (6) Slow-moving vehicle emblem(s) having a reflective surface designed to be clearly visible in daylight or at night from the light of standard headlamps at a distance of at least 500 feet and shall be mounted base down on the rear of the vehicle at a height from three to five feet above the road surface and shall be maintained in a clean reflective condition;
- (g) While the golf cart is in motion, the driver and every passenger in a golf cart is seated in a seat designed to hold passengers. No person may stand or ride in the lap of the driver and/or other passenger of a golf cart while it is moving.

## ORDINANCE NO. 2018-24

- (h) The equipment described herein meets the Texas and Federal Motor Vehicle Safety Standards, as they exist or may be amended; and
  - (i) A golf cart is not allowed to be operated on the following streets:
    - (1) Joe Wilson Road
    - (2) Duncanville Road
    - (3) Cockrell Hill Road
    - (4) Westmoreland Road
    - (5) Hampton Road
    - (6) Johnson Lane
    - (7) Lariat Trail
    - (8) Shiloh Road
    - (9) Bryson Lane
    - (10) Water Street
    - (11) Red Oak Creek Road
    - (12) East Highland Road

### **§ 1.03 Additional Requirements for Golf Carts Powered By Gasoline**

In addition to the requirements set forth herein, every golf cart powered by gasoline shall at all times be equipped with an exhaust system in good working order and in constant operation and meet the following specifications:

- (a) The exhaust system shall include the piping leading from the flange of the exhaust manifold to and including the muffler and exhaust pipes or including any and all parts specified by the manufacturer;
- (b) The exhaust system and its elements shall be securely fastened with brackets or hangers, which are designed for the particular purpose of fastening golf cart exhaust systems;
- (c) The engine and powered mechanism of every golf cart shall be so equipped, adjusted and tuned so that the exhaust is in good working order; and
- (d) It shall be unlawful for the Owner of any golf cart to operate or permit the operation of such golf cart on which any device controlling or abating atmospheric emissions which is placed on a golf cart by the manufacturer is rendered unserviceable by removal, alteration or which interferes with its operation.

### **§ 1.04 Additional Operational Regulations For All Golf Carts**

- (a) Except for Employees of the City in their official duties, golf carts shall not be operated on any sidewalk, pedestrian walkway, jogging path, park trail or any location normally used for pedestrian traffic;
- (b) All golf carts are entitled to a full use of a lane on the authorized public streets, parking areas and traffic ways of Ovilla, and no motor vehicle shall be driven in such a manner as to deprive any golf cart of the full use of a lane;
- (c) The driver of a golf cart shall not overtake and pass in the same lane occupied by the vehicle being overtaken;

ORDINANCE NO. 2018-24

- (d) No driver shall operate a golf cart between lanes of traffic or between adjacent lines or rows of vehicles;
- (e) No driver shall operate a golf cart alongside another golf cart or vehicle in the same lane of traffic;
- (f) No driver shall operate or park a golf cart on a public street in manner that prohibits the normal flow of traffic;
- (g) The driver of a golf cart operating the golf cart on a public street may only cross a multi-lane federal, county or state route at an intersection controlled by an official traffic control device which stops traffic from all directions;
- (h) The number of occupants in a golf cart shall be limited to the number of persons for whom factory seating is installed and provided on the golf cart;
- (i) Children must be properly seated while a golf cart is in motion and may not be transported in a reckless or negligent manner. No person younger than six (6) years of age may be transported in a golf cart unless restrained by a safety belt restraint;
- (j) Golf carts may not be used for the purpose of towing another golf cart, trailer or vehicle of any kind including, without limitation, a person on roller skates, skateboard or bicycle. A person employed by a golf course may tow a golf cart(s) for the purpose of relocating the cart(s) from one portion of a golf course to another portion of the same golf course; and
- (k) Golf carts shall not be operated during inclement weather or when visibility is impaired by weather, smoke, fog, or other condition, or at any time when there is insufficient light to clearly see persons or vehicles on the roadway at a distance of five hundred feet (500').
- (l) Golf carts may not be lifted or raised more than eight inches from the original manufacturers specifications.

**§ 1.05 Liability**

- (a) Nothing in this Article shall be construed as an assumption of liability by the City of Ovilla for any injuries (including death) to persons, pets or property which may result from the operation of a golf cart by an authorized driver; and
- (b) Owners are fully liable and accountable for the action of any individual that they provide permission to operate and drive said golf cart, both on personal and/or any authorized public streets, parking areas and traffic ways. This described liability responsibility especially applies to personal injuries (including death) or property damage resulting from golf cart drivers who are minors under the age of twenty-one (21) with or without a current and valid driver's license.

**§ 1.06 Registration Permit Required**

- (a) No person shall operate, cause to be operated or allow the operation of a golf cart on any authorized public streets, parking areas and traffic ways unless a valid registration permit has been issued for the golf cart or otherwise allowed by law.

ORDINANCE NO. 2018-24

(b) Application for a permit authorizing the operation of a golf cart shall be made by a person who owns, leases or otherwise uses a golf cart. Such application shall be made in writing to the City on a form designated for that purpose. On such application shall be set forth the following:

- (1) The name, address, telephone number and state driver's license number, if applicable, of the permit holder;
- (2) The street address where the golf cart is kept, including the particular suite or apartment number, if applicable;
- (3) The business name used for the premises where the golf cart is kept, if applicable;
- (4) The year, make, model, color, vehicle identification number or serial number if no vehicle identification number has been issued to the golf cart, electric or gasoline; and
- (5) The person(s) and location, designated by the City, that inspected the golf cart, including a certification by said inspector that the golf cart complies with the requirements of this Ordinance before the issuance of a permit;
- (6) Statement that all operators are required to be licensed pursuant to Texas Transportation Code §§521.001(3) and 521.021, as amended, and that all equipment required herein is installed and will be kept operational during the permit period.
- (7) Statement that the registration permit holder and any user shall indemnify and hold harmless the City of Ovilla, Texas for any and all civil liability associated with said registration waives any and all rights to sue or allow subrogation by insurance company.
- (8) Other information which the City may require.

(c) The registration permit decal shall be permanently affixed on the left side of the golf cart in such a manner that it is clearly visible from fifty feet (50'). The permit must not be damaged, altered, obstructed or otherwise made illegible. The permit holder shall apply for replacement permit and pay all applicable cost associated with the issuance and inspection of the golf cart;

(d) The registration permit decal shall only be placed upon the golf cart for which it was issued;

(e) A permit issued to a golf cart shall become invalid if the golf cart is altered in a manner that fails to comply with any requirement of this Ordinance;

(f) Registration Permits/Decals are valid for a period of (2) two years and each shall expire on December 31<sup>st</sup> of even numbered years beginning in 2020. The registration permit fee shall be prorated to the number of yearly quarters remaining in the permit period. The following fee shall apply:

1. Registration Permit - \$48.00 (includes Inspection and Decal)
2. Re-inspection if a cart fails the initial inspection - \$20.00
3. Governmental entities applying for a Registration Permit are exempt from any fees.

- (g) The permit holder shall notify the City within ten (10) working days if the golf cart transfers ownership or the address of the normal storage location has changed. The information shall be submitted on a form designated by the City;
- (h) Lost or stolen Permit/Decals are the responsibility of the Owner. A police report must be filed in the event of a lost or stolen Permit/Decal. If no record can be found of a previous application, or the receipt of a Permit/Decal, the City may direct the applicant to reapply, and also resubmit any and all fees necessary before a replacement Permit/Decal is issued;
- (i) Any person who operates a golf cart and fails to receive and properly display a City Permit/Decal will be subject to all applicable state laws, in addition to being in violation of this Ordinance; and
- (j) A permit may be revoked at any time by the City, or its designee(s), if:
  - 1. there is any evidence that the permit holder cannot safely operate a golf cart on any authorized public streets, parking areas and traffic ways of the City in compliance with this Ordinance.
  - 2. The owner or driver fails to abide by the rules and regulations of this ordinance
  - 3. The owner fails to maintain proof of financial responsibility during the entire permit registration period.
- (k) The commission of any of the violations described herein constitutes evidence that the permit holder cannot safely operate a motorized golf cart on the street within the City of Ovilla.
- (l) The permit is not transferable. Upon transfer of ownership of the golf cart to a person who intends to operate it over authorized streets and parking areas, the new owner must register the golf cart and pay the registration permit fee as outlined hereinabove.

**§ 1.07 City Employees**

City employees may operate a golf cart on any public street, parking area and traffic way without any further restrictions when the golf cart is used in the performance of his/her duties or on official business of the City or on City owned property and City leased property, including but not limited to, a parade, a festival or other special events.

**SECTION 2. Penalty Provision.**

**§ 2.01** Any person, firm, entity or corporation who violates any provision of this Ordinance, as it exists or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined a sum not exceeding Five Hundred Dollars (\$500.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the City of Ovilla from filing suit to enjoin the violation. Ovilla retains all legal rights and remedies available to it pursuant to local, state, and federal law.

**§ 2.02** In addition to the misdemeanor for traffic violations of the driver of the motorized cart may be subject to pursuant to Texas Law, the owner and/or permit holder of the motorized cart shall be subject to the following civil penalties:

- (a) For the first offense, a fine of not less than \$200.00;
- (b) For the second and any subsequent offense, a fine of not less than \$300.00.

**SECTION 3. Savings/Repealing Clause.**

All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

**SECTION 4. Severability.**

Should any section, subsection, clause or phrase of this ordinance be declared unconstitutional or invalid by any court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect.

**SECTION 5. Effective Date.**

This Ordinance shall be effective December 1, 2018 and publication as required by law.

**SECTION 6. Publication**

The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

PASSED AND APPROVED on this the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**CITY OF OVILLA**

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Richard Dormier, Mayor

ATTEST:

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Pamela Woodall, City Secretary

APPROVE AS TO FORM:

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Ron G. MacFarlane, Jr., City Attorney

## AGENDA ITEM REPORT

### Item 4

Meeting Date: October 9, 2018

Department: Code, PW and Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted by: John R. Dean, Jr., CM

Amount: \$N/A

Reviewed By:  City Manager  City Secretary  City Attorney

Accountant

Other: Deputy City Secretary, Code/PW

#### Attachments:

1. Ordinance 2018-25

#### Agenda Item / Topic:

ITEM 4. **DISCUSSION/ACTION** – Consideration of and action on Ordinance 2018-25 of the City of Ovilla, Texas, amending Chapter 3, Article 3.06, Section 3.06.002, 3.06.005 and 3.06.007(5) of the Code of Ordinances of the City of Ovilla; establishing definitions for signs; amending the schedule for temporary signs; amending the prohibited signs; 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.

#### Discussion / Justification:

The changes in this Ordinance define feather banner signs to allow one feather banner sign per premises and defines and allows an A-frame or sandwich board sign as a temporary sign and clarifies the Code regarding signs placed on vehicles. All these items were changed at the direction of the City Council at the last City Council meeting. The Ordinance has been reviewed by the City Attorney.

#### Recommendation / Staff Comments:

Staff recommends approval.

#### Sample Motion(s):

I move to approve/deny Ordinance 2018-25 of the City of Ovilla, Texas, amending Chapter 3, Article 3.06, Section 3.06.002, 3.06.005 and 3.06.007(5) of the Code of Ordinances of the City of Ovilla; establishing definitions for signs; amending the schedule for temporary signs; amending the prohibited signs; 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.

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, AMENDING CHAPTER 3, ARTICLE 3.06, SECTIONS 3.06.002, 3.06.005 AND 3.06.007(5) OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA; ESTABLISHING DEFINITIONS FOR SIGNS; AMENDING THE SCHEDULE FOR TEMPORARY SIGNS; AMENDING THE PROHIBITED SIGNS; 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.

WHEREAS, the City Council of Ovilla adopted Ordinance No. 07-014 on August 13, 2007 regulating signs in the City of Ovilla; and

WHEREAS, the City Council of Ovilla adopted Ordinance No. 08-006 on November 12, 2007 further regulating signs in the City of Ovilla; and

WHEREAS, the City Council has researched and deliberated the current sign regulations of the City of Ovilla; and

WHEREAS, based on the deliberation of the deliberations the City Council desires to make changes to the sign regulations within the City of Ovilla to create an environment that will foster more business;

WHEREAS, the City Council finds it necessary to amend the City's Code of Ordinances regulating signs.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS:

SECTION 1. AMENDMENT OF ARTICLE 3.06, OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA, TEXAS

Article 3.06, Section 3.06.002 of the Code of Ordinances of the City of Ovilla, Texas, is hereby amended by adding the following definitions:

Feather Banner. Shall include the following:

Feather Flag – Tall and slender flag that have a straight left edge with a flowing, contoured outer edge. Feather flags have a pole sleeve on the straight side that is sewn closed at the top. The pole on a feather flag is vertical and does not have a bend at the top.

Quill Flag – Tall and narrow flag that have a contoured top that keeps the message open even without wind. Flag has straight left and right edges with the rounded top and angled bottom.

Teardrop Flag – Flag rounded top that comes to a point at the bottom.

Feather Dancer Flag – Tall flag with a widened bottom. They have a straight left edge and a flowing, contoured outer edge that flies gently in the lightest of breezes. The Feather Dancer Flags may also have streamer attachments that add extra movement and visibility to the flag.

ORDINANCE NO. 2018-25



Feather Flag      Quill Flag      Teardrop Flag      Feather Dancer Flag

Sandwich Board or "A" Frame Sign: A sandwich board is a freestanding temporary sign, with no moving parts or lights, no larger than seven square feet total sign size; displayed outside a business, during business hours, to advertise the business, hours of operation, an event, a promotion, menu, etc. It is not intended as permanent business signage.

Article 3.06, Section 3.06.005 of the Code of Ordinances of the City of Ovilla, Texas, is hereby amended by adding the following:

Sign Type	Permitted District	Permit Required?	Maximum Area (sq. ft.)	Height of Sign	Number of Signs	Setback	Spacing of Signs	Time Limitation
Feather Banner	Non-residential districts	Yes	30 sf each face & 60 sf total surface	15 ft. (measured from greater of base of sign or street grade)	1 sign per premises	On premises 10 ft. from curb or improved surface & 15 ft. from any driveway	None	None
Sandwich Board or "A" Frame Sign	Non-residential districts	Yes	6 sf each face & 12 sf total surface	42 inches	1 sign per premises	On premises 10 ft. from curb or improved surface & 15 ft. from any driveway	None	Displayed only during times the business advertised is open.

Article 3.06, Section 3.06.007(5) of the Code of Ordinances of the City of Ovilla, Texas, is hereby amended to read:

Signs placed on or affixed to vehicles and/or trailers which are parked on a public right-of-way, public property, or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity located on the same or nearby property. However, this does not prohibit signs placed on vehicles and trailers that are incidental to the primary use or ownership of the vehicle or trailer as transportation and are not used or intended for use primarily as static displays advertising a product or service.

**SECTION 2. SAVINGS CLAUSE**

In the event that any other Ordinance of the City of Ovilla, Texas, heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail.

**SECTION 3. SEVERANCE CLAUSE**

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 4. INCORPORATION INTO THE CODE OF ORDINANCES**

The provisions of this ordinance shall be included and incorporated in the City of Ovilla Code of Ordinances and shall be appropriately renumbered, if necessary, to conform to the uniform numbering system of the Code.

**SECTION 5. EFFECTIVE DATE**

Because of the nature of the interests and safeguards sought to be protected by this Ordinance and in the interest of the citizens of the City of Ovilla, Texas, this Ordinance shall take effect immediately upon approval and publication, as required by law.

**SECTION 6. PUBLICATION**

The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

PASSED, ADOPTED and APPROVED by the City Council of Ovilla, Texas, on this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Richard Dormier, Mayor

ATTEST:

\_\_\_\_\_  
Pamela Woodall, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Ron G. MacFarlane, Jr., City Attorney

## AGENDA ITEM REPORT

### Item: 5

Meeting Date: October 9, 2018

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: John R. Dean, Jr., CM

Amount: \$260,000

Reviewed By:  City Manager  City Secretary  City Attorney

Accountant

Other: Deputy City Secretary

#### Attachments:

1. Ordinance 2018-26
2. Exhibit A, Budget Revision

#### Agenda Item / Topic:

**ITEM 5. DISCUSSION/ACTION** – Consideration of and action on Ordinance 2018-26 of the City of Ovilla, Texas, amending the Fiscal Year 2018-2019 General Fund Budget of the City of Ovilla to allow for an adjustment of \$260,000 for the purchase of real properties being identified as Ellis CAD Property ID's 187744, 187748, and 187741; providing for publication of this Ordinance and providing an effective date.

#### Discussion / Justification:

The City Council has adopted Resolutions authorizing the purchase of the properties identified above at a cost of \$255,000. We are asking for an amendment of \$260,000.00 to ensure that we have funds available to cover any additional costs that may be associated with the property purchases.

#### Recommendation / Staff Comments:

Recommends approval of the budget amendment.

#### Sample Motion(s):

I move that Council approve/deny Ordinance 2018-26 of the City of Ovilla, Texas, amending the Fiscal Year 2018-2019 General Fund Budget of the City of Ovilla to allow for an adjustment of \$260,000 for the purchase of real properties being identified as Ellis CAD Property ID's 187744, 187748, and 187741; providing for publication of this Ordinance and providing an effective date.

## ORDINANCE NO. 2018-26

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, AMENDING THE FISCAL YEAR 2018-19 GENERAL FUND BUDGET OF THE CITY OF OVILLA TO ALLOW FOR AN ADJUSTMENT OF \$260,000 FOR THE PURCHASE OF REAL PROPERTIES BEING IDENTIFIED AS ELLIS CAD PROPERTY ID'S 187744, 187748, AND 187741; PROVIDING FOR PUBLICATION OF THIS ORDINANCE AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, pursuant to Ordinance No. 2018-17, the City Council of the City of Ovilla, Texas approved the Fiscal Year 2018-19 Operating Budget and Annual Program of Services (the Budget);

**WHEREAS**, the City Council of the City of Ovilla desires to amend Ordinance 2018-17, thereby amending the 2018-2019 Annual Budget of the City.

**WHEREAS**, the City Council approved the General Fund 2018-2019 Operating Budget and a Reduction in Fund Balance will be used to off-set an additional \$260,000 for the purchase of real properties.

**WHEREAS**, the City Council finds that this budget amendment also serves an important municipal purpose, consistent with §102.010 of the Texas Local Government Code;

**THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS:**

### SECTION ONE

The FY 2018-2019 General Fund Budget findings set forth in the above preamble to this ordinance are true and correct, and hereby adopted.

### SECTION TWO

The amount listed on the attached Budget Revision Request is hereby appropriated and designated as identified in Exhibit A, attached hereto.

### SECTION THREE

The General Fund 2018-2019 Budget is hereby amended by the City Council to allow for the additional Reduction of Fund Balance of \$260,000 to use for the purchase of real properties.

**PASSED AND APPROVED ON THIS 09 DAY OF October 2018.**

Attest:

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Pamela Woodall, CITY SECRETARY

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Richard Dormier, MAYOR

**GENERAL FUND - SUMMARY**  
**Adopted Budget FY 2019 -**  
**AMMENDED 10/2018**

	<u>ACTUAL</u> <u>2017</u>	<u>FY</u> <u>2018</u>	<u>Original Budget</u> <u>2018</u>	<u>Adjusted Budget</u> <u>2018</u>	<u>Adopted Budget</u> <u>2019</u>
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## Revenue

Beginning Fund Balance					1,358,285.95
Total 4000100 · Taxes	2,032,257.26	2,134,245.00	2,146,361.00	2,364,276.00	
Total 4000208 · Building Permits	78,026.15	83,952.00	83,952.00	85,000.00	
Total 4000200 4000208 License and Permits	21,242.09	22,629.00	22,629.00	23,086.00	
Total 4000400 · Charges for Services	521,876.30	517,446.00	524,800.00	588,496.00	
Total 4000500 · Fines and Forfeitures	273,632.82	287,205.00	287,205.00	252,705.00	
Total 4000800 · Other Revenue	306,884.42	156,325.00	188,981.00	158,310.00	
Total 4000900 · Transfers In	120,774.69	353,617.00	573,821.00	438,121.00	
<b>Total Revenue</b>	<b>3,354,693.73</b>	<b>3,555,419.00</b>	<b>3,827,749.00</b>	<b>3,909,994.00</b>	

## Expense

### 10 · Administration

Total 5101100 · Salaries & Wages	180,315.32	195,680.00	195,680.00	201,774.00
Total 5102100 · Employee Benefits	52,471.41	69,287.00	69,287.00	71,307.00
Total 5102200 · Special Services	49,207.39	72,623.00	72,623.00	75,937.00
Total 5102300 · Contractual Services	15,358.35	10,000.00	10,000.00	10,000.00
Total 5102500 · Operating Services	69,735.87	29,328.00	56,108.00	64,128.00
Total 5102600 · Special Expenses	4,255.80	7,050.00	7,050.00	7,050.00
Total 5103100 · General Supplies	8,378.44	8,350.00	8,350.00	10,350.00
Total 5103400 · Maintenance Supplies / Parts	3,123.61	3,400.00	3,400.00	3,900.00
Total 5104200 · Travel Expenses	5,536.66	11,050.00	11,050.00	10,550.00
Total 5105200 · Software & Computer Equipment	12,142.10	19,005.00	50,965.00	19,300.00
Total 5105300 · Printing Expense	8,523.00	11,084.00	11,084.00	13,710.00
Total 5105400 · Utilities	9,931.67	11,320.00	11,320.00	11,650.00
Total 5105500 · Repairs & Bldg Improvements	6,667.95	35,000.00	13,300.00	3,800.00
Total 5105600 · Insurance	4,078.00	5,675.00	5,675.00	5,225.00
Total 5105700 · Other Expenses	41,975.80	23,733.00	23,733.00	34,108.00
Total 5106400 · Minor Capital Outlay	5,159.42	2,000.00	2,000.00	4,000.00
<b>Total - Capitalized Assets</b>	<b>49,999.00</b>	<b>0.00</b>	<b>31,640.00</b>	<b>260,000.00</b>
Total 5109000 · Reserves	87,723.49	93,770.00	93,770.00	0.00
<b>Total 10 · Administration</b>	<b>614,583.28</b>	<b>608,355.00</b>	<b>677,035.00</b>	<b>806,789.00</b>

## Expense

### 20 · Police

Total 5201100 · Salaries & Wages	139,023.34	137,899.00	137,899.00	141,964.00
Total 5201400 · Support Salaries	347,105.20	422,658.00	422,658.00	427,706.00

	ACTUAL 2017	FY	Original Budget	Adjusted Budget	Adopted Budget
			2018	2018	2019
Total 5202100 · Employee Benefits	131,587.90		159,317.00	159,405.00	170,985.00
Total 5202300 · Contractual Services	23,725.00		27,925.00	27,925.00	69,850.00
Total 5202500 · Operating Services	3,137.00		4,870.00	4,870.00	4,870.00
Total 5202600 · Special Expenses	534.34		500.00	500.00	500.00
Total 5203100 · General Supplies	9,051.09		10,250.00	10,302.00	10,850.00
Total 5203400 · Maintenance Supplies & Parts	797.36		800.00	800.00	800.00
Total 5204200 · Travel Expenses	23,452.78		33,915.00	33,827.00	33,585.00
Total 5205200 · Software & Computer Equipment	17,851.00		23,000.00	23,000.00	21,328.00
Total 5205300 · Printing Expenses	1,755.32		2,010.00	1,958.00	2,024.00
Total 5205400 · Utilities	10,822.21		12,300.00	12,300.00	11,388.00
Total 5205500 · Repairs & Building Improvements	9,766.52		16,000.00	16,000.00	16,000.00
Total 5205600 · Insurance	13,164.00		12,206.00	12,206.00	12,206.00
Total 5205700 · Other Expenses	2,232.39		15,330.00	15,330.00	15,330.00
Total 5206400 · Capital Outlay	237,465.74		69,684.00	69,684.00	10,700.00
Total 5207400 - Capitalized Assets	17,965.09		0.00	0.00	0.00
Total 20 · Police	989,436.28		948,664.00	948,664.00	950,086.00

## Expense

### 25 · Municipal Court

Total 5251100 · Salaries & Wages	9,578.28	11,110.00	11,110.00	11,110.00
Total 5251400 · Support Staff	35,789.05	38,177.00	38,177.00	43,749.00
Total 5252100 · Employee Benefits	11,499.46	12,849.00	12,849.00	12,672.00
Total 5252300 · Contractual Services	106,364.60	108,170.00	108,770.00	108,770.00
Total 5253100 · General Supplies	245.98	225.00	183.00	300.00
Total 5254200 · Travel Expenses	0.00	75.00	75.00	75.00
Total 5255200 · Software & Computer Equipment	2,050.17	2,351.00	2,351.00	2,750.00
Total 5255300 · Printing Expense	539.36	800.00	842.00	850.00
Total 5255600 · Insurance	192.00	210.00	210.00	210.00
Total 5255700 · Other Expenses	21,390.27	17,182.00	17,182.00	17,629.00
Total 25 · Municipal Court	187,649.17	191,149.00	191,749.00	198,115.00

## Expense

### 30 · Fire

Total 5301100 · Salaries & Wages	136,473.44	151,614.00	151,614.00	157,253.00
Total 5301400 · Support Salaries	319,350.51	359,091.00	359,091.00	368,518.00
Total 5302100 · Employee Benefits	41,782.76	60,282.00	60,282.00	130,104.00
Total 5302300 · Contractual Services	80,284.00	80,984.00	80,984.00	91,918.00
Total 5302500 · Operating Services	11,764.89	14,120.00	14,120.00	14,120.00
Total 5302600 · Special Expenses	299.34	350.00	350.00	350.00
Total 5303100 · General Supplies	13,808.53	16,800.00	16,800.00	16,800.00
Total 5303400 · Maintenance Supplies & Parts	2,942.27	4,800.00	4,800.00	4,800.00
Total 5304200 · Travel Expenses	13,206.53	16,600.00	16,600.00	18,000.00
Total 5305200 · Software & Computer Equipment	3,255.10	15,000.00	15,000.00	11,700.00
Total 5305300 · Printing Expense	3,255.29	3,300.00	3,300.00	3,300.00

	ACTUAL 2017	FY 2018	Original Budget 2018	Adjusted Budget 2018	Adopted Budget 2019
Total 5305400 · Utilities	17,340.06	16,968.00	16,968.00	16,968.00	19,316.00
Total 5305500 · Repairs & Bldg Improvements	49,076.94	54,500.00	54,500.00	54,500.00	66,000.00
Total 5305600 · Insurance	14,536.73	16,056.00	16,056.00	16,056.00	16,056.00
Total 5305700 · Other Expenses	454.25	650.00	650.00	650.00	650.00
Total 5306400 · Minor Capital Outlay	164,035.40	30,547.00	30,547.00	30,547.00	30,547.00
Total 5307400 · Capitalized Assets	55,000.00	0.00	0.00	0.00	0.00
<b>Total 30 · Fire</b>	<b>926,866.04</b>	<b>841,662.00</b>	<b>841,662.00</b>	<b>841,662.00</b>	<b>949,432.00</b>

## Expense

### 40 · Community Services

Total 5401100 · Salaries & Wages	59,354.68	78,983.00	78,983.00	110,202.00
Total 5402100 · Employee Benefits	11,949.36	27,899.00	27,899.00	31,344.00
Total 5402300 · Contractual Services	48,268.84	46,100.00	46,100.00	46,100.00
Total 5402600 · Special Expenses	2,478.67	3,700.00	3,700.00	3,700.00
Total 5403100 · General Supplies	988.89	1,400.00	1,400.00	1,700.00
Total 5403400 · Maintenance Supplies & Parts	180.74	200.00	200.00	200.00
Total 5404200 · Travel Expenses	1,292.02	3,425.00	3,425.00	3,600.00
Total 5405200 · Software & Computer Equipment	0.00	2,500.00	2,500.00	5,250.00
Total 5405300 · Printing Expense	159.32	400.00	400.00	400.00
Total 5405400 · Utilities	908.73	1,074.00	1,074.00	1,074.00
Total 5405600 · Insurance	384.00	256.00	256.00	256.00
Total 5405700 · Other Expenses	20.92	400.00	400.00	400.00
Total 5406400 · Minor Capital Outlay	1,093.22	1,000.00	1,000.00	1,500.00
Total 54064 · Capital Outlay	0.00	31,400.00	31,400.00	37,833.00
<b>Total 40 · Community Services</b>	<b>127,079.39</b>	<b>198,737.00</b>	<b>205,170.00</b>	<b>205,726.00</b>

## Expense

### 45 · Solid Waste

5455465 · Solid waste Pickup (Garbage)	221,932.88	228,497.00	235,734.00	246,240.00
<b>Total 5455400 · Utilities</b>	<b>221,932.88</b>	<b>228,497.00</b>	<b>235,734.00</b>	<b>246,240.00</b>

## Expense

### 50 · Streets

Total 5501400 · Support Staff	18,477.81	30,059.00	30,059.00	32,201.00
Total 5502100 · Employee Benefits	10,113.93	12,898.00	12,898.00	13,214.00
Total 5502200 · Special Services	0.00	3,360.00	3,360.00	3,360.00
Total 5502600 · Special Expenses	285.68	2,000.00	2,000.00	2,000.00
Total 5503100 · General Supplies	400.94	700.00	700.00	700.00
Total 5503400 · Maintenance Supplies & Parts	3,169.22	2,800.00	2,800.00	18,800.00
Total 5504200 · Travel Expenses	4,311.76	6,500.00	6,500.00	6,500.00

	ACTUAL <u>2017</u>	FY	Original Budget	Adjusted Budget	Adopted Budget
			<u>2018</u>	<u>2018</u>	<u>2019</u>
Total 5505300 · Printing Expense	49.99		350.00	350.00	350.00
Total 5505400 · Utilities	47,803.70		47,000.00	47,000.00	47,000.00
Total 5505500 · Repairs & Bldg Improvements	23,502.34		62,500.00	62,500.00	62,500.00
Total 5505600 · Insurance	3,915.00		4,955.00	4,955.00	4,955.00
Total 5505700 · Other Expenses	242.00		150.00	150.00	150.00
Total 5506400 · Minor Capital Outlay	21,089.74		3,650.00	3,650.00	3,650.00
Total 5507400 · Capitalized Assets	538,225.78		280,000.00	463,380.00	187,000.00
Total 50 · Streets	<b>671,587.89</b>		<b>456,922.00</b>	<b>640,302.00</b>	<b>382,380.00</b>

## EXPENSE

### 60 · Parks

Total 5501400 · Support Staff	0.00	0.00	0.00	31,601.00
Total 5502100 · Employee Benefits	0.00	0.00	0.00	13,192.00
Total 5602400 · Rentals	2,724.41	3,000.00	3,000.00	3,000.00
Total 5602600 · Special Expenses	19,095.64	20,300.00	20,300.00	20,300.00
Total 5603400 · Maintenance Supplies & Parts	279.73	2,300.00	2,300.00	2,300.00
Total 5605400 · Utilities	8,216.07	8,300.00	8,300.00	8,300.00
Total 5605500 · Repairs & Bldg Improvements	3,093.57	1,750.00	1,750.00	1,750.00
Total 5605600 · Insurance	623.00	683.00	683.00	683.00
Total 5605700 · Other Expenses	597.90	300.00	300.00	300.00
Total 5606400 · Minor Capital Outlay	12,854.48	8,800.00	8,800.00	8,800.00
Total 5607400 · Capitalized Assets	75,243.41	36,000.00	42,000.00	81,000.00
Total 60 · Parks	<b>122,728.21</b>	<b>81,433.00</b>	<b>87,433.00</b>	<b>171,226.00</b>

<b>TOTAL GF REVENUE</b>	<b>3,354,693.73</b>	<b>3,555,419.00</b>	<b>3,827,749.00</b>	<b>3,909,994.00</b>
<b>TOTAL GF EXPENSE</b>	<b>3,861,863.14</b>	<b>3,555,419.00</b>	<b>3,827,749.00</b>	<b>3,909,994.00</b>
<b>REVENUE LESS EXPENSE</b>	<b>-507,169.41</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

Ending Fund Balance 1,022,194.95

**PURCHASE ORDER**

**CITY OF OVILLA**  
**105 S. Cockrell Hill Road**  
**Ovilla, TX 75154**  
**972-617-7262**



P.O. Date	10/09/2018	P.O. Number		Date Required	10/09/2018	
Department	ADMIN	Requisition No.		Account	5107420	
<hr/>						
Vendor Name	REBECCA SWITZER		Phone Number			
Street Address	2980 BRYSON LN		Fax Number			
City	MIDLOTHIAN		State	TX	Zip Code	76065
E-mail address			Web site			
<hr/>						

**Shipping Information to City of Ovilla unless otherwise noted**

Contact Name			Phone Number			
Street Address			Fax Number			
City			State	TX	Zip Code	
<hr/>						

Quantity Ordered	Quantity Received	Part Number and Description	Unit Price	Total Cost
1		Property - parcel 187741, Ovilla, TX		\$5,000.00
1				

TERMS: Delivery is F.O.B. Destination, Net 30, unless otherwise noted. All purchases are tax exempt.

**TOTAL** \$5,000.00

Department Head:	PAM WOODALL	Date:	
City Accountant:	Linda Harding	Date:	
City Manager:	JOHN DEAN, JR	Date:	

Approvals are required prior to purchase of budgeted items. Purchases of less than \$3,000.00 require a check request form and department head (DH) approval. Purchases of \$3,000.00 to \$25,000.00 require a purchase order with three (3) quotes attached, DH approval, accountant approval, and CA approval. Purchases of \$3,000.00 to \$25,000 also require two quotes from a HUB – use HUB form. (ORD2014-033). Purchases of \$25,001.00 to less than \$50,000.00 require purchase order with three (3) written quotes, DH approval, accountant approval, CA approval and City Council review before purchase. City Council has discretion to bid purchases of \$25,000.00. (ORD 2014-011) Purchases of \$50,000.00 or more require Formal Bidding Process; sealed bids, purchase orders and or contract, with DH approval, accountant approval, CA approval, City Council approval.

**PURCHASE ORDER**

**CITY OF OVILLA**  
**105 S. Cockrell Hill Road**  
**Ovilla, TX 75154**  
**972-617-7262**



P.O. Date	10/09/2018	P.O. Number		Date Required	10/09/2018
Department	ADMIN	Requisition No.		Account	5107420
<hr/>					
Vendor Name	JOHN WHITE	Phone Number			
Street Address	708 W. MAIN ST	Fax Number			
City	OVILLA,	State	TX	Zip Code	75154
E-mail address		Web site			
<hr/>					

**Shipping Information to City of Ovilla unless otherwise noted**

Contact Name		Phone Number			
Street Address		Fax Number			
City		State	TX	Zip Code	
<hr/>					

Quantity Ordered	Quantity Received	Part Number and Description	Unit Price	Total Cost
1		Property-708 W. Main, Ovilla, TX Parcels 187748, 187744		\$250,000.00
1		Estimated closing cost		\$5,000.00

TERMS: Delivery is F.O.B. Destination, Net 30, unless otherwise noted. All purchases are tax exempt.

**TOTAL** \$255,000.00

Department Head:	PAM WOODALL	Date:	
City Accountant:	Linda Harding	Date:	
City Manager:	JOHN DEAN, JR	Date:	

Approvals are required prior to purchase of budgeted items. Purchases of less than \$3,000.00 require a check request form and department head (DH) approval. Purchases of \$3,000.00 to \$25,000.00 require a purchase order with three (3) quotes attached, DH approval, accountant approval, and CA approval. Purchases of \$3,000.00 to \$25,000 also require two quotes from a HUB – use HUB form. (ORD2014-033). Purchases of \$25,001.00 to less than \$50,000.00 require purchase order with three (3) written quotes, DH approval, accountant approval, CA approval and City Council review before purchase. City Council has discretion to bid purchases of \$25,000.00. (ORD 2014-011) Purchases of \$50,000.00 or more require Formal Bidding Process; sealed bids, purchase orders and or contract, with DH approval, accountant approval, CA approval, City Council approval.

## AGENDA ITEM REPORT

### Item 6

Meeting Date: October 9, 2018

Department: Administration, Code & PW

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: John R. Dean, Jr., CM

Amount: \$N/A

Reviewed By:  City Manager  City Secretary  City Attorney

Accountant  Other: Deputy City Secretary, Code, Police

#### Attachments:

1. Ordinance 2018-27

#### Agenda Item / Topic:

**ITEM 6.** **DISCUSSION/ACTION-** Consideration of and action on Ordinance 2018-27 of the City of Ovilla, Texas, amending Chapter 8, "Offenses and Nuisances," Article 8.01 "General Provisions," of the Code of Ordinances of the City of Ovilla, Texas, prohibiting the sale of alcoholic beverages within certain distances of churches, schools, and hospitals.

#### Discussion / Justification:

This Ordinance was prepared by the City Attorney for the City Council to be able to consider, if the Council so desires, to regulate future alcohol sales within certain limitations as allowed by state law.

This basically allows a public or private school governing body to request that the City Council adopt an ordinance prohibiting alcohol sales within 1,000 feet of the school.

This discussion and proposed ordinance was initially presented to Council at the September meeting and staff was directed to bring the Ordinance back for consideration.

#### Recommendation / Staff Comments:

Approval of Ordinance.

#### Sample Motion(s):

I move to approve/deny Ordinance 2018-27 of the City of Ovilla, Texas, amending Chapter 8, "Offenses and Nuisances," Article 8.01 "General Provisions," of the Code of Ordinances of the City of Ovilla, Texas, prohibiting the sale of alcoholic beverages within certain distances of churches, schools, and hospitals.

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, AMENDING CHAPTER 8 "OFFENSES AND NUISANCES," ARTICLE 8.01 "GENERAL PROVISIONS," OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA, TEXAS, PROHIBITING THE SALE OF ALCOHOLIC BEVERAGES WITHIN CERTAIN DISTANCES OF CHURCHES, SCHOOLS AND HOSPITALS; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council finds and determines that it is in the best interest of the health, safety and welfare of the citizens of the City of Ovilla to adopt municipal regulations to provide for the prohibition of the sale of alcoholic beverages within certain distances of churches, schools and hospitals.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS:

**SECTION 1. AMENDMENT OF CHAPTER 8, ARTICLE 8.01 OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA, TEXAS**

Chapter 8, Section 8.01 of the Code of Ordinances of the City of Ovilla, Texas, is hereby amended by the addition of Sections 8.01.03 to read as follows:

**"Sec. 8.01.03. - Sale of alcoholic beverages prohibited near churches, schools and hospitals.**

- (a) No person may sell alcoholic beverages if the place of business is within:
  - (1) Three hundred feet of a church, public or private school or public hospital;
  - (2) One thousand feet of a public school, if the city council by resolution approves a request from the board of trustees of a school district under V.T.C.A., Education Code § 38.007;
  - (3) One thousand feet of a private school, if the city council by resolution approves a request from the governing body of the private school.
- (b) Subsection (a)(1) does not apply to the holder of:
  - (1) A license or permit issued by the Texas Alcoholic Beverage Code who also holds a food and beverage certificate issued by the Texas Alcoholic Beverage Commission covering the premises that is located within 300 feet of a private school; or
  - (2) A license or permit covering a premises where minors are prohibited from entering under V.T.C.A., Alcoholic Beverage Code § 109.53, (unaccompanied minor in package liquor store) and that is located within 300 feet of a private school.
- (c) Subsections (a)(2) and (3) do not apply to the holder of:
  - (1) A retail on-premises consumption permit or license issued by the Texas Alcoholic Beverage Commission if less than 50 percent of the gross receipts for the premises is from the sale or service of alcoholic beverages;
  - (2) A retail off-premises consumption permit or license issued by the Texas Alcoholic Beverage Commission if less than 50 percent of the gross

receipts for the premises, excluding the sale of items subject to the motor fuels tax, is from the sale or service of alcoholic beverages;

(3) A wholesaler's, distributor's, brewer's, distiller's and rectifier's, winery, wine bottler's or manufacturer's permit or license, or any other license or permit held by a wholesaler or manufacturer as those words are used and understood in V.T.C.A, Alcoholic Beverage Code ch. 102.

(d) Subsection (a)(3) does not apply to the holder of:

(1) A license or permit issued under V.T.C.A, Alcoholic Beverage Code ch. 27 (temporary and special wine and beer retailer's permit), V.T.C.A., Alcoholic Beverage Code ch. 31, (Caterer's permit), or V.T.C.A., Alcoholic Beverage Code ch. 72, (Temporary licenses) who is operating on the premises of a private school; or

(2) A license or permit covering a premises where minors are prohibited from entering under V.T.C.A., Alcoholic Beverage Code § 109.53, and that is located within 1,000 feet of a private school.

(e) For purposes of this section "private school" means a private school, including a parochial school, that: (1) offers a course of instruction for students in one or more grades from kindergarten through grade 12; and (2) has more than 100 students enrolled and attending courses at a single location.

(f) The measurement of the distance between the place of business where alcoholic beverages are sold and a church or public hospital shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections. The measurement of the distance between the place of business where alcoholic beverages are sold, and public or private schools shall be: (1) in a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections; or (2) if the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public or private school to the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.

(g) For any dealer who held a license or permit from the Texas Alcoholic Beverage Commission September 1, 1983, the measurement of the distance between the place of business of the dealer and a public school shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections.

(h) Application of distance requirements.

(1) If at the time an original alcoholic beverage permit or license is granted by the Texas Alcoholic Beverage Commission for a premises, the premises satisfies the requirements regarding distance from schools, churches, and other types of premises set forth in this chapter, the premises shall be deemed to satisfy the distance requirements for all subsequent renewals of the license or permit.

(2) On the sale or transfer of the premises or the business on the premises in which a new original license or permit is required for the premises, the premises shall be deemed to satisfy any distance requirements as if the issuance of the new original permit or license were a renewal of a previously held permit or license. This subsection does not apply to the satisfaction of the distance requirement prescribed by subsection (a)(2) for a public school, except that on the death of a permit or license holder or a person having an interest in a permit or license [this]

subsection does apply to the holder's surviving spouse or child of the holder or person if the spouse or child qualifies as a successor in interest to the permit or license. Subsection (1) does not apply to the satisfaction of the distance requirement prescribed by subsection (a)(2) for a public school if the holder's permit or license has been suspended for a violation occurring after September 1, 1995, of any of the following provisions of V.T.C.A., Alcoholic Beverage Code §§ 11.61(b)(1), (6)–(11), (13), (14), or (20)."

**SECTION 2. SAVINGS CLAUSE**

In the event that any other ordinance of the City of Ovilla, Texas, heretofore enacted is found to conflict with the provisions of this ordinance, this ordinance shall prevail.

**SECTION 3. SEVERANCE CLAUSE**

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

**SECTION 4. PENALTY CLAUSE**

Any person, firm partnership, association or corporation who shall violate any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be liable for a fine in an amount not to exceed Five Hundred Dollars (\$500), and each and every instance of the violation of this Ordinance constitute a separate offense and shall be punishable by separate fine for each offense.

**SECTION 5. EFFECTIVE DATE**

Because of the nature of interest and safeguard sought to be protected by this ordinance and in the interest of health, safety and welfare of the citizens of the City of Ovilla, Texas, this Ordinance shall take effect immediately after passage, approval and publication, as required by law.

**SECTION 6. PUBLICATION**

The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

PASSED, ADOPTED and APPROVED by the City Council of the City of Ovilla, Texas, on this the 09 day of October 2018.

APPROVED:

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Richard Dormier, Mayor

ORDINANCE NO. 2018-27

ATTEST:

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Pamela Woodall, City Secretary

APPROVED AS TO FORM:

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Ron G. MacFarlane, Jr., City Attorney

## AGENDA ITEM REPORT

### Item 7

Meeting Date: October 9, 2018

Department: UB, Finance & Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted by: John R. Dean, Jr., CM

Amount: \$N/A

Reviewed By:  City Manager  City Secretary  City Attorney

Accountant  Other: Utility Billing, Deputy City Secretary

#### Attachments:

1. Ordinance 2018-28

#### Agenda Item / Topic:

ITEM 7. **DISCUSSION/ACTION**– Consideration of and action on Ordinance 2018-28 of the City of Ovilla, Texas, amending Appendix A, Article A7.000, Section A7.001 of the Code of Ordinances of the City of Ovilla; establishing monthly rates for solid waste collection for residential and nonresidential customers; providing a savings clause; providing a severance clause; providing for incorporation in the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication.

#### Discussion / Justification:

The rates proposed with this Ordinance are in accordance with changes associated with the City's new service contract with Community Waste Disposal (CWD) and will take affect with December 2018 usage billing. The residential rates are established to generate the same amount of revenue for the City as the current rate structure.

#### Recommendation / Staff Comments:

Staff recommends approval.

#### Sample Motion(s):

I move to approve/deny Ordinance 2018-28 of the City of Ovilla, Texas, amending Appendix A, Article A7.000, Section A7.001 of the Code of Ordinances of the City of Ovilla; establishing monthly rates for solid waste collection for residential and nonresidential customers; providing a savings clause; providing a severance clause; providing for incorporation in the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication.

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, AMENDING APPENDIX A, ARTICLE A7.000, SECTION A7.001 OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA; ESTABLISHING MONTHLY RATES FOR SOLID WASTE COLLECTION FOR RESIDENTIAL AND NONRESIDENTIAL CUSTOMERS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERANCE CLAUSE; PROVIDING FOR INCORPORATION INTO THE OVILLA CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.

WHEREAS, pursuant to Ordinance No. 2018-17, the City Council of the City of Ovilla, Texas, approved the Fiscal Year 2019 Operating Budget and Annual Program of Services (the Budget); and

WHEREAS, in conjunction with the Budget, the City Council sets fees for services provided by the City to its residents; and

WHEREAS, on September 10, 2018 the City Council approved a solid waste contract with Community Waste Disposal for solid waste services for the City of Ovilla; and

WHEREAS, based on the new costs of solid waste service provided by Community Waste Disposal, the City's provider, the City Council finds it necessary to change the solid waste collection rates for both residential and nonresidential customers in the City; and

WHEREAS, based on the contract it is necessary to amend the City's Code of Ordinances to reflect the new monthly solid waste collection rates.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS:

**SECTION 1. AMENDMENT OF APPENDIX A, ARTICLE A7.000, SECTION A7.001 OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA, TEXAS**

Appendix A, Article A7.000, Section A7.001 of the Code of Ordinances of the City of Ovilla, Texas, is hereby amended to read as follows:

**Sec. A7.001 Solid waste collection fees**

(a) Residential. Each residential property having a water meter shall be assessed a fee of \$15.52 per month; provided, however, if one of the record property owners is over the age of 65 years, such residential property having a water meter shall be assessed a fee of \$14.28 per month.

(b) Commercial. Each commercial property shall be assessed a fee for a commercial hand load or will be charged a commercial dumpster rate (determined by size and/or frequency of pickups) from the city's solid waste provider according to the franchise agreement. All charges will be subject to include all taxes and applicable fees.

(1) Commercial hand collection:

(A) Per 95 gallon polycart 1 x per week service: \$24.53.

ORDINANCE NO. 2018-28

(B) 2 carts 1 x per week: \$49.06.

(2) Commercial Rate Schedule:

Size Container	1 x Week	Additional Container
2 CU Yd	\$77.19	\$34.00
3 Cu Yd	\$88.29	\$35.00
4 Cu Yd	\$110.38	\$36.00
6 Cu Yd	\$132.41	\$38.00
8 Cu Yd	\$165.73	\$39.00
10 Cu Yd	Negotiable	Negotiable

(3) Commercial roll-off accounts:

(A) Roll-off containers (including disposal costs):

	20 cubic yard per haul	\$401.89
	30 cubic yard per haul	\$411.89
	40 cubic yard per haul	\$441.89
	Delivery and exchange	\$110.00
	Daily container rental	\$5.25

(B) Compactors (including disposal costs):

	30 cubic yard compactor haul charge	\$411.89
	35 cubic yard compactor haul charge	\$411.89
	42 cubic yard compactor haul charge	\$411.89

(c) Emergency response / supplemental bulky brush collection.

(1) \$165.00 per truck hour plus disposal for emergency or disaster response related to brush.

(2) \$85.00 per bobcat hour plus standard roll off open top haul rate.

(d) Billing. All applicable fees will be added to the respective city utility bill for the residential and commercial hand collected property accounts to which the applicable fees apply.

(e) Recycling. All residential fees include mandatory recycling.

**SECTION 2. SAVINGS CLAUSE**

In the event that any other Ordinance of the City of Ovilla, Texas, heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail.

**SECTION 3. SEVERANCE CLAUSE**

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 4. INCORPORATION INTO THE CODE OF ORDINANCES**

The provisions of this ordinance shall be included and incorporated in the City of Ovilla Code of Ordinances and shall be appropriately renumbered, if necessary, to conform to the uniform numbering system of the Code.

**SECTION 5. EFFECTIVE DATE**

Because of the nature of the interests and safeguards sought to be protected by this Ordinance and in the interest of the citizens of the City of Ovilla, Texas, this Ordinance shall take effect with the December 2018 billing, approval and publication, as required by law.

**SECTION 6. PUBLICATION**

The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

PASSED, ADOPTED and APPROVED by the City Council of Ovilla, Texas, on this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Richard Dormier, Mayor

ATTEST:

\_\_\_\_\_  
Pamela Woodall, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Ron G. MacFarlane, Jr., City Attorney

## AGENDA ITEM REPORT

### Item 8

Meeting Date: October 9, 2018

Department: UB, Finance & Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted by: John R. Dean, Jr., CM

Amount: \$N/A

Reviewed By:  City Manager  City Secretary  City Attorney

Accountant  Other: Utility Billing, Deputy City Secretary

#### Attachments:

1. Ordinance 2018-29

#### Agenda Item / Topic:

**ITEM 8.** **DISCUSSION/ACTION-** Consideration of and action on Ordinance 2018-29 of the City of Ovilla, Texas, amending Appendix A, Article A7.000, Section A7.003 (B)(1) and A7.003 (B)(2)(B) of the Code of Ordinances of the City of Ovilla; establishing a monthly wastewater rate for residential and nonresidential customers; providing a savings clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for an effective date; and providing for publication.

#### Discussion / Justification:

The proposed rate increase of \$2.05 per 1,000 gallons is a direct cost increase incurred by the City from the service provider. As was discussed during the budget process all rate increases would be passed onto the customer.

Current Rate: \$8.22 per 1,000      Proposed Rate: \$10.27 per 1,000

#### Recommendation / Staff Comments:

Staff recommends approval.

#### Sample Motion(s):

I move to approve/deny Ordinance 2018-29 of the City of Ovilla, Texas, amending Appendix A, Article A7.000, Section A7.003 (B)(1) and A7.003 (B)(2)(B) of the Code of Ordinances of the City of Ovilla; establishing a monthly wastewater rate for residential and nonresidential customers; providing a savings clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for an effective date; and providing for publication.

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, AMENDING APPENDIX A, ARTICLE A7.000, SECTION A7.003(B)(1)(B) and A7.003(B)(2)(B) OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA; ESTABLISHING A MONTHLY WASTEWATER RATE FOR RESIDENTIAL AND NONRESIDENTIAL CUSTOMERS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERANCE CLAUSE; PROVIDING FOR INCORPORATION INTO THE OVILLA CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.

WHEREAS, pursuant to Ordinance No. 2018-17, the City Council of the City of Ovilla, Texas, approved the Fiscal Year 2019 Operating Budget and Annual Program of Services (the Budget); and

WHEREAS, in conjunction with the Budget, the City Council sets fees for services provided by the City to its residents; and

WHEREAS, based on the increased cost of wastewater treatment by the Red Oak Creek Regional Wastewater System, the City's provider, the City Council finds it necessary to increase the wastewater rate by the amount of \$2.05 per 1,000 gallons for both residential and nonresidential customers in the City, as set forth in the Budget; and

WHEREAS, based on the monthly wastewater rate increase it is necessary to amend the City's Code of Ordinances to reflect the new monthly wastewater rate.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS:

**SECTION 1. AMENDMENT OF APPENDIX A, ARTICLE A7.000, SECTION A7.003(B)(1) OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA, TEXAS**

Appendix A, Article A7.000, Section A7.003(b)(1)(B) of the Code of Ordinances of the City of Ovilla, Texas, is hereby amended to read as follows:

(b) Monthly wastewater rates. Monthly rates for wastewater service furnished by the city:

(1) Residential:

(B) Base monthly rate (per 1,000 gallons): \$10.27

(2) Nonresidential:

(B) Base monthly rate (per 1,000 gallons): \$10.27

**SECTION 2. SAVINGS CLAUSE**

In the event that any other Ordinance of the City of Ovilla, Texas, heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail.

**SECTION 3. SEVERANCE CLAUSE**

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such shall be deemed a

separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 4. INCORPORATION INTO THE CODE OF ORDINANCES**

The provisions of this ordinance shall be included and incorporated in the City of Ovilla Code of Ordinances and shall be appropriately renumbered, if necessary, to conform to the uniform numbering system of the Code.

**SECTION 5. EFFECTIVE DATE**

Because of the nature of the interests and safeguards sought to be protected by this Ordinance and in the interest of the citizens of the City of Ovilla, Texas, this Ordinance shall take effect with the December 2018 billing, approval and publication, as required by law.

**SECTION 6. PUBLICATION**

The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

**PASSED, ADOPTED and APPROVED** by the City Council of Ovilla, Texas, on this the 09 day of October 2018.

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Richard Dormier, Mayor

**ATTEST:**

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Pamela Woodall, City Secretary

**APPROVED AS TO FORM:**

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Ron G. MacFarlane, Jr., City Attorney

## AGENDA ITEM REPORT

### Item 9

Meeting Date: October 9, 2018

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: John R. Dean, Jr., CM

Amount: N/A

Reviewed By:  City Manager  City Secretary  City Attorney  
 Accountant  Other

#### Attachments:

N/A

#### Agenda Item / Topic:

ITEM 9. **DISCUSSION/ACTION** – Consideration of and action on staff direction for the use of AT&T Lease Funds.

#### Discussion / Justification:

The City Council accepted a lease agreement with Landmark (AT&T) during the September 19, Special Council meeting. Staff has shared ideas with how to best use those funds and seeks Council direction.

#### Recommendation / Staff Comments:

Council's direction.

#### Sample Motion(s):

I move that Council direct staff to. . .

## AGENDA ITEM REPORT

### Item 10

Meeting Date: October 9, 2018

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: John R. Dean, Jr., CM

Amount: N/A

Reviewed By:  City Manager  City Secretary  City Attorney  
 Accountant  Other: All departments

#### Attachments:

N/A

#### Agenda Item / Topic:

ITEM 10. *DISCUSSION/ACTION* – Consideration of and action on designated parking.

#### Discussion / Justification:

Mayor Dormier requested discussion on this item. Mayor Dormier has requested that the designated "Mayor" parking space be designated for another purpose or undesignated.

#### Recommendation / Staff Comments:

Council's direction

#### Sample Motion(s):

I move that Council approve/deny to re-designate or undesignate the parking space currently designated for the Mayor.

## AGENDA ITEM REPORT

### Item 11- Items pulled from Consent

Meeting Date: October 09, 2018 Department: Administration/Finance

Discussion Action

Budgeted Expense:  YES  NO  N/A

Submitted by: Staff

Amount: N/A

#### Discussion / Justification:

ITEM 11. **DISCUSSION/ACTION** – Consideration of any item(s) pulled from the Consent Agenda above for individual consideration and action.

#### Discussion / Justification:

All consent items are attached for Council consideration. Any items pulled from the Consent agenda will be reviewed under this item.

Staff recommends approval.

Sample Motion(s):

I move to approve ...

OVILLA POLICE DEPARTMENT  
 105 S Cockrell Hill Rd  
 Ovilla, TX 75154  
 (972) 617-7262

To: Mayor Richard Dormier  
 Ovilla City Council  
 John Dean City Manager

Subject: Police Department Monthly Activity Report

Calls For Service	Sept 2018	Sept 2018 YTD	Sept 2017	Sept 2017 YTD
Accident	5	41	1	16
Alarms	12	148	17	131
Arrest	3	47	8	72
Assault/Assault FV	1	9	4	11
Assists	72	483	74	703
Building / House Security Check	415	4905	486	5570
Burglary	0	1	0	5
Burglary of Motor Vehicle	0	0	0	4
Criminal Mischief	3	6	1	9
Disturbance	19	73	12	89
Neighborhood Check	1221	9601	1449	13366
Other Calls for Service	77	497	47	434
Suspicious Person	2	53	8	76
Suspicious Vehicle	22	134	32	229
Theft	1	10	0	13
Traffic Assignment/School Enforcement	12	89	65	537
<b>TOTAL CALLS FOR SERVICE</b>	<b>1865</b>	<b>16097</b>	<b>2204</b>	<b>21265</b>

Reserve Officer Hours	0	287.5	35.5	131.5
Average Response Time (Minutes)	3.48	4.32	4.21	4.64
Total Citations	84	899	122	1125
Total Traffic Stops *****	326	2352	357	
Traffic Stop Disposition Warning *****	247	1502	246	
Traffic Stop Disposition Citation *****	79	850	111	
<b>PERCENT OF STOPS RECEIVING CITATIONS</b>	<b>24.2</b>	<b>36.1</b>	<b>31.1</b>	<b>#DIV/0!</b>
Manual Response time				

\*\* These lines are new and we will not have  
 the info for the months before March 2017

August 2018	TO	September 2018	MILEAGE	MAINTENANCE PERFORMED
Police Unit #	Begin	End	Accrued	
103	144423	144661	238	
105	104691	105627	936	oil change and inspection
116	62376	64738	2362	
117	51219	53693	2474	new battery
118	14892	17596	2704	
216	16066	16670	604	
<hr/>				
Vehicles	Begin	End	Accrued	
2017 F250 4x4	9110	9594	484	
2015 2500 HD Silverado	37003	37672	669	
2011 3500HD Silverado	51463	52046	583	
2008 2500HD Animal Control	81311	81876	565	
2008 1500 Silverado	109323	109712	389	
2006 1500 Silverado	118298	118546	248	
2001 C6500 Dump Truck	18308	183694	165386	
1999 International Patch Trk	311845	311845	0	
1998 Ford Dump Truck	53397	53603	206	Replaced windshield wipers
<hr/>				
	HOURS	HOURS	HOURS	
New Holland Skid LS60	1187.6	1187.6	0	
1999 Kubota Tractor	965.3	970.9	5.6	
1992 Ford Tractor	1080.5	1081	0.5	
Sweeper	619.9	619.9	0	
310K John Deere Backhoe	1565.2	1584.2	19	
Stone Packer 3100	4507.5	4507.5	0	
Ingersoll Mobil Air Compress	1320.8	1320.8	0	

Green Golf Cart	763.1	763.1	<b>0</b>	
Jet Machine	482.1	482.1	<b>0</b>	
Vac Machine 2017	52.4	55.5	<b>3.1</b>	
Boomag 900-50 packer	190.3	190.5	<b>0.2</b>	
2016 Exmark	229.6	251.2	<b>21.6</b>	Replaced the right tire
2013 Exmark	340.3	358.7	<b>18.4</b>	
2004 Exmark	1016.1	1022.7	<b>6.6</b>	
JCV Backhoe	27.5	28.3	<b>0.8</b>	Replaced the battery

# Ovilla Fire Department

## September Monthly Report



**Interim Fire Chief  
Kevin R. Lindsey**

105 S. Cockrell Hill Road  
Ovilla Texas, 75154  
[cityofovilla.org](http://cityofovilla.org)

## Mission Statement

The mission of the Ovilla Fire Department is to provide services designed to protect citizens and property of the City of Ovilla and outlying areas. All persons and or departments requesting assistance from the Ovilla Fire Department because of the adverse effects of fire, medical emergencies, or hazardous conditions created by man or nature will be dealt with in a professional manner, consistent with the economic capability of the community.

## Summary of Staffing for the Department

- Currently the Department has no Firefighter Paramedic positions open
- Currently the Department has 7 Volunteer Firefighter Positions. This is due to the volunteers getting hired on at full time departments. We are currently looking for more volunteers.
- Current Staffing
  - 2 Chiefs
  - 5 Captains
  - 26 Firefighter Paramedics
  - 8 Firefighter EMT-Basics
  - 7 Volunteer Firefighters
  - Total Staffing of 48 out of 50 positions
  - Replaced the 3 firefighter/paramedics that resigned
- Of the Volunteers on staff,
  - 3 of them are Dual Certified, meaning they have their Fire Certs and EMT Basic
  - 1 has their Fire Certs
  - 2 have their EMT- Basic
  - The other Volunteer does not have any Certification at this time.

## Grants Report

- Have turned in four Texas Forestry Service Grants, waiting for notification of award
- ***Received \$ 5,072.16 from the Texas Forestry Service for insurance reimbursement***
  - 7700 received for workers comp and VFIS
  - One for bunker gear
  - One for a Brush Truck Chassis
  - One for a Brush Truck

## Summary of Events for the Department

- September was a steady month for the Fire Department, with a total of 51 incidents responded to. That's 23 less calls than last month.
- The weather kept us busy with multiple water rescues.
- Training with the Volunteers on their regular scheduled nights, continuing to work with them all on Apparatus Familiarization, and getting them signed off to drive each one.
- Bays are painted! Now we are ready to get started on the floors!
- 10 pieces of bunker gear unexpectedly taken out of service by our gear cleaning company. It has been sent to the manufacturer. We are waiting to see if they can fix it. It costs approximately \$2500 to properly outfit one person with Personal Protective Gear that keeps them safe.

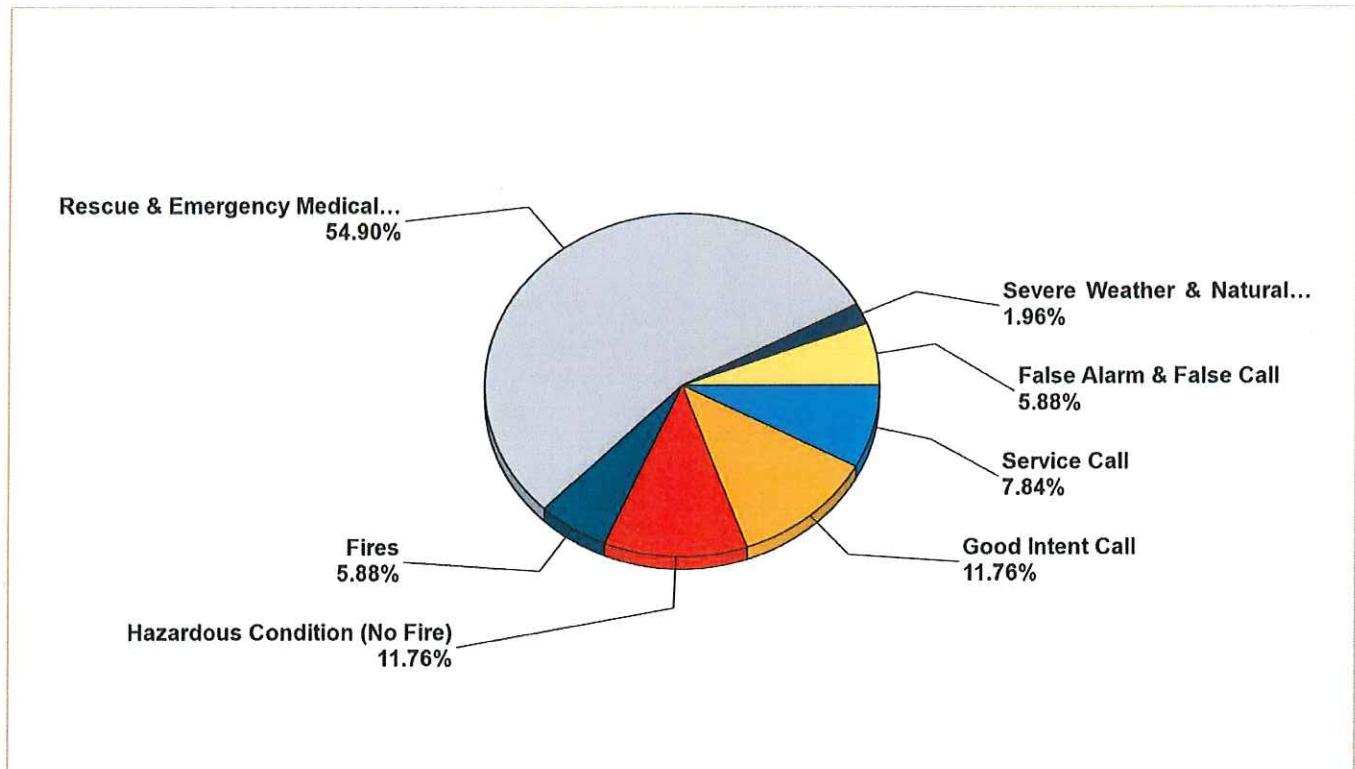
## Summary of Staffing for the Month

- 7 days a week we have 3 - 24-hour part time positions (0800 – 0800)
- These positions were 100% filled this month
- 7 nights a week we have 1 – 12-hour shift that is covered by volunteers (2000 – 0800)
- Saturday and Sunday (0800 – 2000)
- 6 / 10 weekend day shifts were covered by a Volunteer
- 33 / 40 Volunteer shifts were covered, and these 33 shifts had 4 personnel on the Engine

## Summary of Activity from Deputy Chief Fire Marshal's Office

- Continue as Interim Fire Chief
- Work on finalizing the budget and end of year budget
- Manage the department
- Multiple Consults
- Respond to incidents as available
- Multiple Meetings
- Back-Up for Ovilla PD
- QCI reports
- Training with Volunteers

## Breakdown by Major Incident Type



4

MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	3	5.88
Rescue & Emergency Medical Service	28	54.90
Hazardous Condition (No Fire)	6	11.76
Service Call	4	7.84
Good Intent Call	6	11.76
False Alarm & False Call	3	5.88
Severe weather & natural disaster	1	1.96
<b>Total</b>		<b>100.00%</b>

Average .75 fires per week

Average 1.7 calls per day

Average 2.75 calls per week

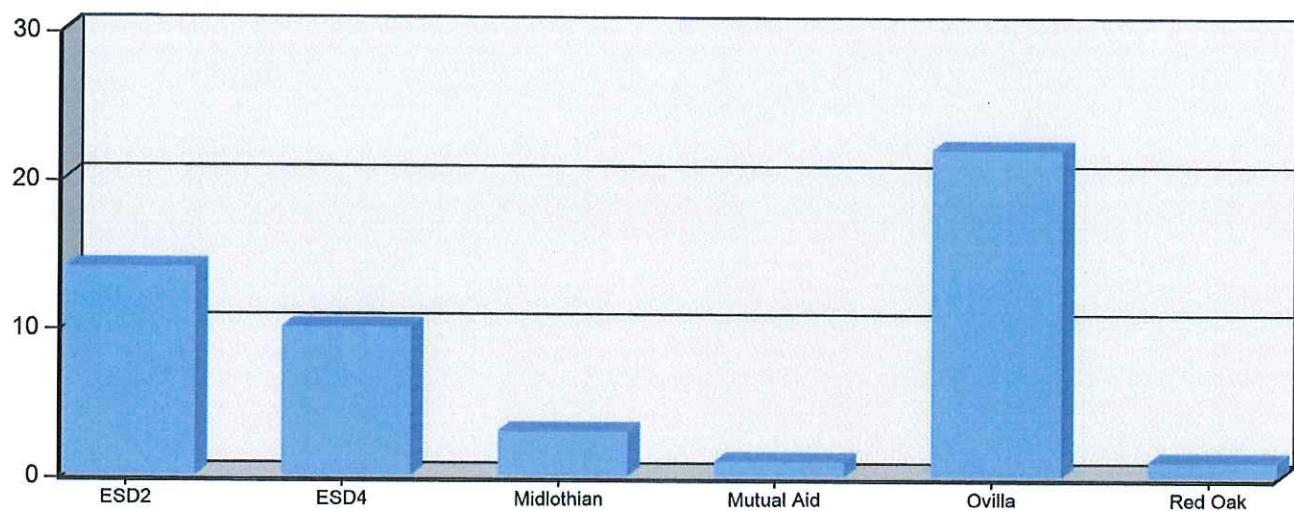
Full Crew responses | **51**

C702 Responses | **16**

Number of Overlapping Calls | **6**

**Total Ovilla Fire Department Runs | 51**

### Breakdown by Districts



ZONE	2018	2017
ESD2 - ESD #2	14	20
ESD4 - ESD #4	10	4
Midlothian - Midlothian City Limits	3	N/A
Mutual Aid - Mutual Aid	1	4
Ovilla - City Limits	22	26
Red Oak - Red Oak City Limits	41	N/A
<b>TOTAL:</b>	<b>51</b>	<b>54</b>

*Districts are broken down by Cities or Areas we respond to.*

*Midlothian and Red Oak are what is called Automatic Aid due to being on the same dispatch system, and we are toned at the exact same time for an emergency that requires additional units to respond.*

Ovilla Fire Department  
Monthly Report

*Mutual Aid is calculated by the cities that must call our dispatch center to request our help on incidents that occur in their cities.  
Examples are Glenn Heights, Desoto, Duncanville, Cedar Hill, Lancaster, Waxahachie, Ferris, and Wilmer.*

September  
2018

### Breakdown of Total Call to Date by Current Year and Past Year

MAJOR INCIDENT TYPE TO DATE	2018	2017
Fires	80	39
Overpressure, overheat- no fire	1	2
Rescue & Emergency Medical Service	339	289
Hazardous Condition (No Fire)	22	10
Service Call	60	78
Good Intent Call	137	105
False Alarm & False Call	36	21
Severe Weather & Natural Disaster	4	8
Special Incident Type	2	N/A
<b>TOTAL</b>	<b>681</b>	<b>552</b>

### Breakdown of Average Response Times by District for the Last Two Months

Zone Title	August	September
ESD4 - ESD #4	12.84	12.25
Mutual Aid - Mutual Aid	37.15 (Rehab non code included)	25.13
ESD2 - ESD #2	7.55	8.90
Ovilla - City Limits	5.72	6.18
Red Oak – Red Oak City Limits	7.91	14.77
Midlothian - Midlothian City Limits	17.46	12.53

*Response times are figured by Time of Dispatch to Arrival at scene time. Overall the goal is that in our "First In Districts", City Limits, ESD #2, and ESD #4, we are there in under 8 minutes.*

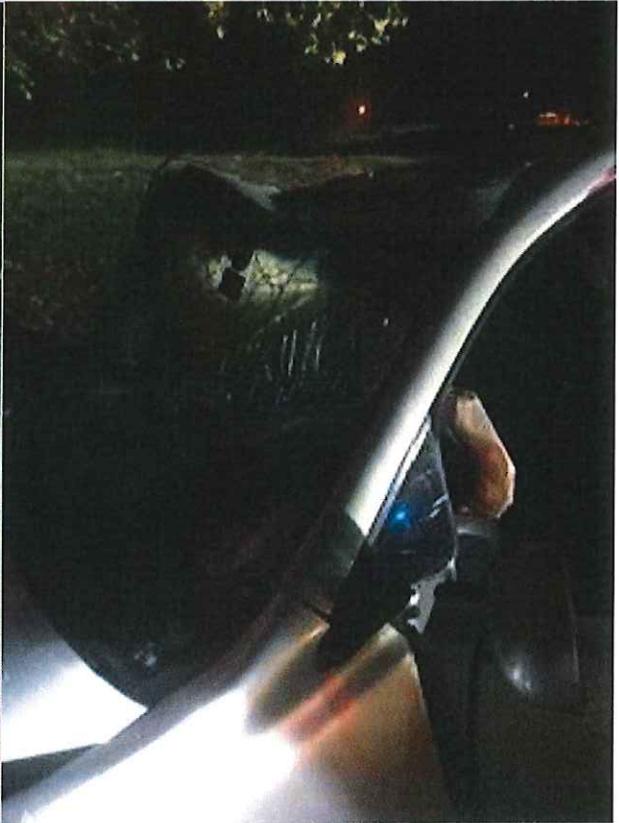
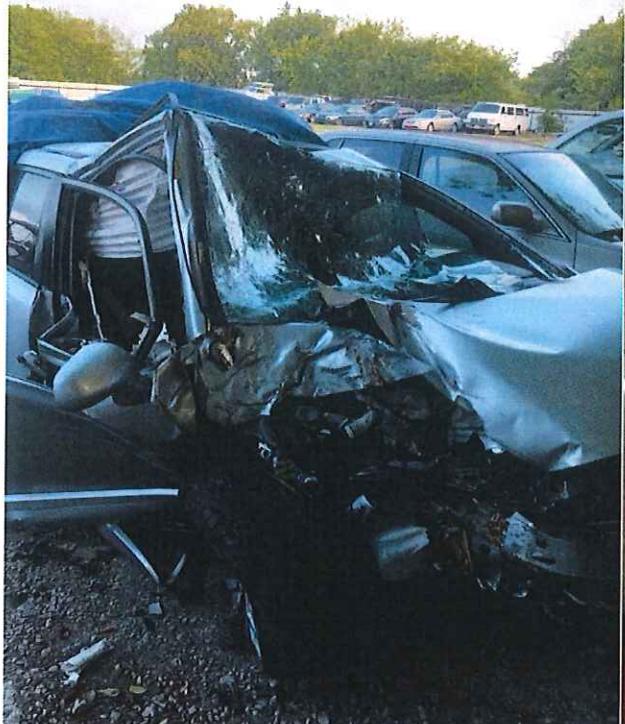
### Average Turn Out Time Dispatch to En-Route by Apparatus

APPARATUS	August	July
B701	1:59	2:04
B702	N/A	N/A
C701	N/A	N/A
C702	1:43	1:28
E701	1:49	1:53
E702	3:41	1:17
R755	1:10	N/A
<b>AVERAGE TURNOUT TIME:</b>	<b>2:37</b>	<b>2:15</b>

*Turn out times are figured from time of dispatch to the time the Apparatus checks En-Route, and the goal with this time is to have a turn out time of 1:30 over 90% of our calls.*

## ***Mileage***

APPARATUS	August	September
B701	57,143.4	57,158
B702	(OOS)	3312 (OOS)
C701	18,468	19,
C702	96,107	95,445
E701	11,139	10,591
E702	27,386	27,288
E703	UNK (gone for training)	UNK can't read it
R755	18,121	18,251





Date 10/4/18

**TO:** Honorable Mayor and City Council Members

**FROM:** Brad Piland Public Works Director

**TOPIC:** Public Works Monthly Report for Sep 2018

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1. 18 work orders completed
2. Sewer Lift Station Repairs-
  - Pulled pump 2 at Highland Meadows Lift Station Replaced capacitor
  - Removed pump 2 from Cumberland removed debris and replaced
  - Pulled pump 1 and removed debris at Heritage

**Monthly Water and Sewer Services:**

- Read water meters, serviced disconnects and reconnects
- Water usage: Purchased from DWU 30,512,000 gal pumped to customers 30,618,200
- Replaced meters:  
610 Meadowlark, 607 Williams, 616 Williams, 103 Ridgeway Gap.
- Daily water maintenance residual and pressure tests.
- Collected water samples for TCEQ reporting
- Water Maintenance – routine flushing mains and hydrant
- Meter Box repair and replace lids as needed
- Repaired water leaks:  
202 Lariat, 219 Lariat, 208 Lariat

**Tree and grass maintenance:**

- Heritage Park
- Silver Spur Park
- Baseball fields and Cindy Jones Park

**Street and Misc.**

- Serviced PD Units
- Street repairs
- Install speed humps and paint.
- Updated marquee as needed
- Prep work for Heritage Day
- Prep for National night out
- Clean up from flooding

Edited On	Source Process	Concern Type	Date Entered	Department Assigned	Property Address	Reference Number	Status
9/28/2018	Report a Concern	Drainage/Culvert clean out	9/28/2018	Water/Wastewater	303 WILLOW CREEK LN	RAC-2018-00350	Open
9/26/2018	Report a Concern	Improper Signage	7/5/2018	Street Department	842 RED OAK CREEK DR	RAC-2018-00252	Closed
9/25/2018	Report a Concern	Pothole/Street Repairs	9/18/2018	Street Department	SHILOH RD	RAC-2018-00321	Closed
9/25/2018	Report a Concern	Other	9/24/2018	Street Department	105 COCKRELL HILL RD RD	RAC-2018-00334	Closed
9/17/2018	Report a Concern	Water Leak - Possible	9/16/2018	Water/Wastewater	219 LARIAT TRL	RAC-2018-00318	Closed
9/14/2018	Report a Concern	Other	7/30/2018	Street Department	505 OVILLA OAKS DR	RAC-2018-00276	Closed
9/14/2018	Report a Concern	Other	9/5/2018	Water/Wastewater	105 COCKRELL HILL RD RD	RAC-2018-00299	Closed
9/14/2018	Report a Concern	Tree Branches in Street	9/11/2018	Street Department	101 RIDGEWAY GAP	RAC-2018-00313	Closed
9/14/2018	Report a Concern	Other	9/14/2018	Street Department	105 COCKRELL HILL RD RD	RAC-2018-00317	Closed
9/5/2018	Report a Concern	Pothole/Street Repairs	5/21/2018	Street Department	639 JOHNSON LN	RAC-2018-00209	Closed
9/5/2018	Report a Concern	Pothole/Street Repairs	5/4/2018	Street Department	104 HIGH RIDGE CT	RAC-2018-00196	Closed
9/5/2018	Report a Concern	Other	7/9/2018	Street Department	105 COCKRELL HILL RD RD	RAC-2018-00253	Closed
9/5/2018	Report a Concern	Other	7/9/2018	Street Department	200 LARIAT TRL	RAC-2018-00254	Closed
9/5/2018	Report a Concern	Drainage/Culvert clean out	5/16/2018	Water/Wastewater	300 BURTONWOOD CIR	RAC-2018-00206	Closed
9/5/2018	Report a Concern	Water Meter Lid Replacement	7/27/2018	Water/Wastewater	106 RIDGEWAY GAP	RAC-2018-00275	Closed
9/5/2018	Report a Concern	Other	8/16/2018	Street Department	105 COCKRELL HILL RD RD	RAC-2018-00290	Closed
9/5/2018	Report a Concern	Other	8/28/2018	Street Department	105 COCKRELL HILL RD RD	RAC-2018-00294	Closed
9/5/2018	Report a Concern	Other	8/29/2018	Street Department	105 COCKRELL HILL RD RD	RAC-2018-00295	Closed

## APPENDIX A: SUGGESTED GENERAL MAINTENANCE CHECKLISTS

### Surfacing (§2.4)

Adequate protective surfacing under and around the equipment.

Install/replace surfacing

Surfacing materials have not deteriorated.

Replace surfacing

Other maintenance: \_\_\_\_\_

Loose-fill surfacing materials have no foreign objects or debris.

Remove trash and debris

Loose-fill surfacing materials are not compacted.

Rake and fluff surfacing

Loose-fill surfacing materials have not been displaced under heavy use areas such as under swings or at slide exits.

Rake and fluff surfacing

### Drainage (§2.4)

The entire play area has satisfactory drainage, especially in heavy use areas such as under swings and at slide exits.

Improve drainage

Other maintenance: \_\_\_\_\_

### General Hazards

There are no sharp points, corners or edges on the equipment (§3.4).

There are no missing or damaged protective caps or plugs (§3.4).

There are no hazardous protrusions (§3.2 and Appendix B).

There are no potential clothing entanglement hazards, such as open S-hooks or protruding bolts (§2.5.2, §3.2, §5.3.8.1 and Appendix B).

There are no crush and shearing points on exposed moving parts (§3.1).

There are no trip hazards, such as exposed footings or anchoring devices and rocks, roots, or any other obstacles in a use zone (§3.6).

### NOTES:

DATE OF INSPECTION:

9-19-18

### Security of Hardware (§2.5)

There are no loose fastening devices or worn connections.

Replace fasteners

Other maintenance: \_\_\_\_\_

Moving parts, such as swing hangers, merry-go-round bearings, and track rides, are not worn.

Replace part

Other maintenance: \_\_\_\_\_

### Durability of Equipment (§2.5)

There are no rust, rot, cracks, or splinters on any equipment (check carefully where it comes in contact with the ground).

There are no broken or missing components on the equipment (e.g., handrails, guardrails, protective barriers, steps, or rungs).

There are no damaged fences, benches, or signs on the playground.

All equipment is securely anchored.

### Leaded Paint (§2.5.4)

Paint (especially lead paint) is not peeling, cracking, chipping, or chalking.

There are no areas of visible leaded paint chips or accumulation of lead dust.

Mitigate lead paint hazards

### General Upkeep of Playgrounds (§4)

There are no user modifications to the equipment, such as strings and ropes tied to equipment, swings looped over top rails, etc.

Remove string or rope

Correct other modification

The entire playground is free from debris or litter such as tree branches, soda cans, bottles, glass, etc.

Clean playground

There are no missing trash receptacles.

Replace trash receptacle

Trash receptacles are not full.

Empty trash

INSPECTION BY:

Daniel Durhane

## APPENDIX A: SUGGESTED GENERAL MAINTENANCE CHECKLISTS

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 Install/replace surfacing

Surfacing materials have not deteriorated.  
 Replace surfacing  
 Other maintenance: \_\_\_\_\_

Loose-fill surfacing materials have no foreign objects or debris.  
 Remove trash and debris

Loose-fill surfacing materials are not compacted.  
 Rake and fluff surfacing

Loose-fill surfacing materials have not been displaced under heavy use areas such as under swings or at slide exits.  
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 Improve drainage  
 Other maintenance: \_\_\_\_\_

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 Replace fasteners  
 Other maintenance: \_\_\_\_\_

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 Other maintenance: \_\_\_\_\_

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 Clean playground

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 Replace trash receptacle

Trash receptacles are not full.  
 Empty trash

INSPECTION BY:

Daniel Durham



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**DATE:** OCTOBER 9, 2018  
**TO:** Honorable Mayor and Council Members  
**FROM:** Linda Harding, City Accountant  
**SUBJECT:** Accounting Department Report

---

**Reports** Financials ending 8/31/2018  
Over \$5,000  
Financial graph representing through AUGUST 2018  
Bank Balances as of 10 3 18

**Mentions to reports:** Eleventh month of new fiscal year.

**Admin Budget Highlights:**

Admin – Screens, hardware, software installed.  
Admin - Change city hall, PD & FD from septic to sewer – Equipment quotes are arriving. Engineering has been completed, engineer will complete design and survey for easement.  
Admin – New desktop computers have been installed by Net Genius.  
Admin – Laptops for council has been approved and distributed  
Admin – Net Genius has installed some hardware changes; more changes have been ordered.  
Fire – Bay improvement have been completed.  
Community Service – Dealer sent Vehicle to company to have box installed.  
Park – Monuments have been ordered, foundations installed, waiting return from engraver

**INFRASTRUCTURE - STREET REPAIR OVILLA OAKS, SUBURBAN, HIGHLAND, HIGHVIEW HAVE BEEN COMPLETED**

Equipment list that includes vehicles, machinery, computers, laptops have been received and reviewed by departments. The departments are responsible for the replacement request of all equipment.

2 of 3 optional extension used by Yeldell, Wilson and Co., P.C. for period ending September 2018.

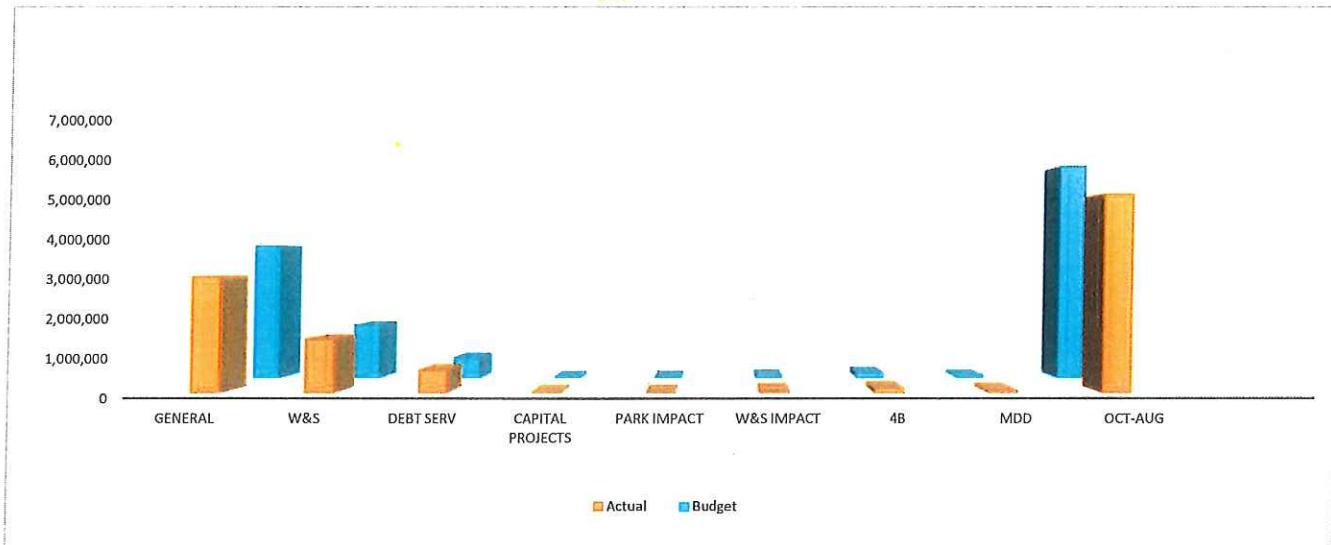
Last extension can be used through September 2019.

December 2017 Bank will use 1<sup>st</sup> of 2-year extensions.

**Department duties:**

Council reports, A/P, P/R, A/R, EOM reports, various accounting obligations, and completed instructions given by City Manager. Examining the various funds, ordinances, resolutions, accounting files, filed required reports for state and federal payroll, sales tax.

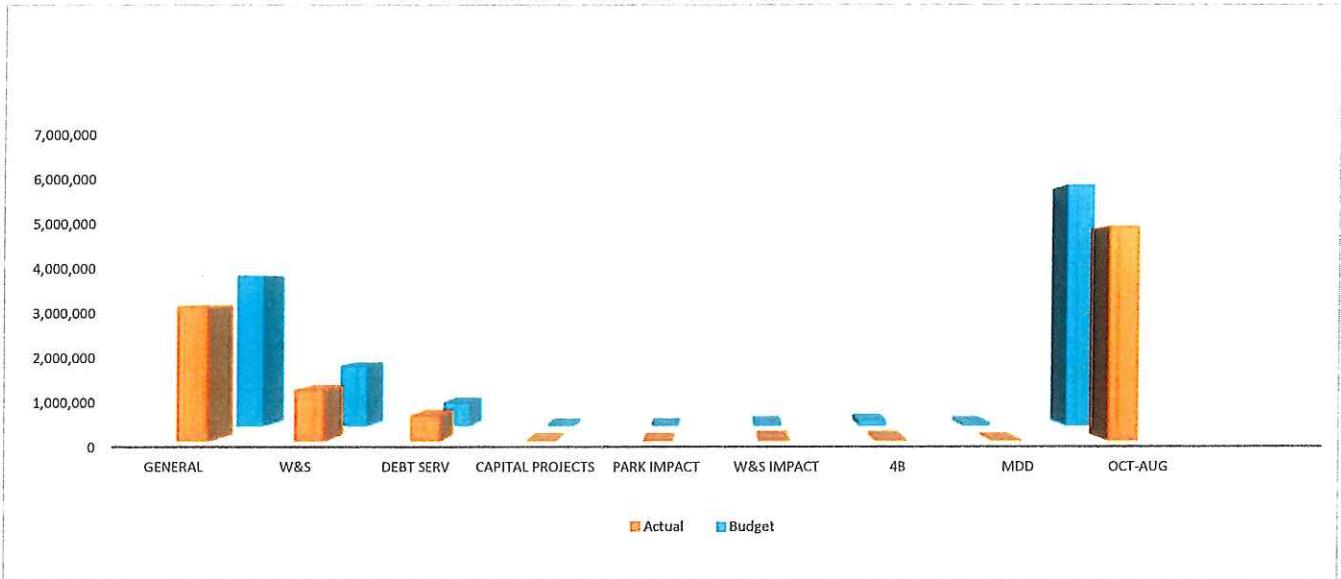
## CITY OF OVILLA REVENUE FY 2017-2018



### City of Ovilla Revenue

FUNDS	Capital								
	General	W&S	Debt Serv	Projects	Park Impact	W&S Impact	4B	MDD	Oct-Aug
Actual	3,014,037	1,390,102	575,508	565	7,608	46,800	107,269	53,414	5,195,303
Budget	3,880,949	1,539,008	576,650	481	8,793	57,068	132,140	51,100	6,246,189
Over / (Under) Budget	(866,912)	(148,906)	(1,142)	84	(1,185)	(10,268)	(24,871)	2,314	(1,050,886)

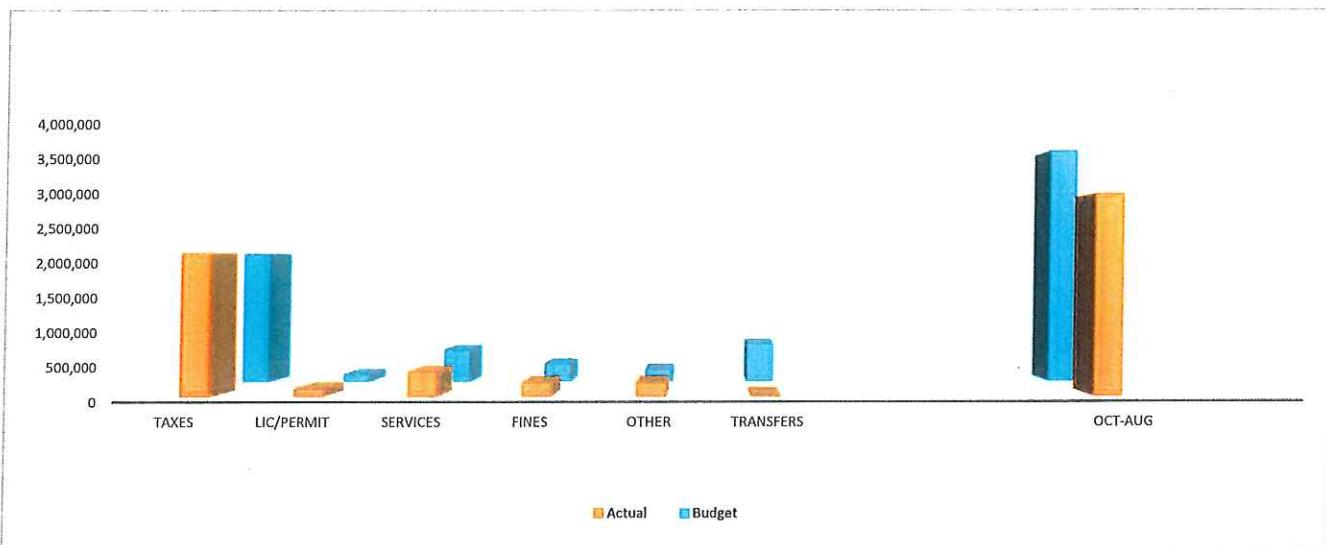
## CITY OF OVILLA EXPENSE FY 2017-2018



### City of Ovilla Expense

FUNDS	Capital								
	General	W&S	Debt Serv	Projects	Park Impact	W&S Impact	4B	MDD	Oct-Aug
Actual	3,123,969	1,177,016	576,550	0	1,017	50,546	42,338	2,247	4,973,683
Budget	3,880,949	1,539,008	576,650	481	8,793	57,068	132,140	51,100	6,246,189
Over / (Under) Budget	(756,980)	(361,992)	(100)	(481)	(7,776)	(6,522)	(89,802)	(48,853)	(1,272,506)

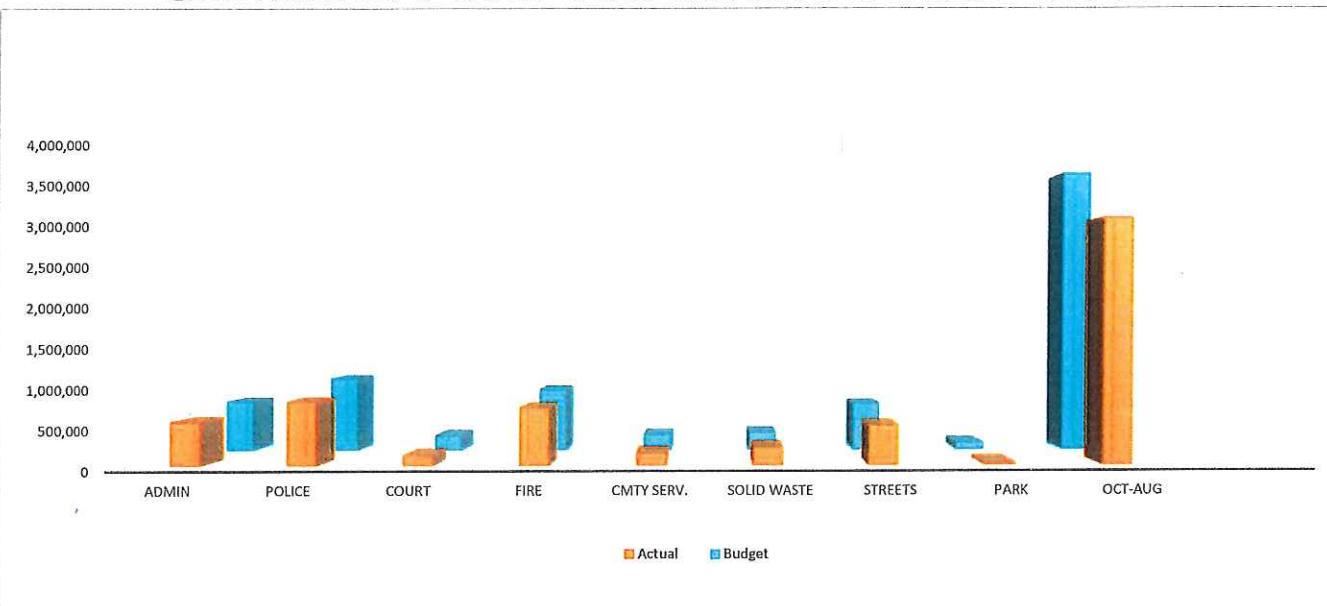
## GENERAL FUND REVENUE FY 2017-2018



### General Fund Revenue

	Taxes	Lic/Permit	Services	Fines	Other	Transfers	Oct-Aug
Actual	2,135,639	107,088	357,592	196,179	197,495	20,043	3,014,036
Budget	2,146,361	106,581	524,800	287,205	188,981	627,021	3,880,949
Over / (Under) Budget	(10,722)	507	(167,208)	(91,026)	8,514	(606,978)	(866,913)

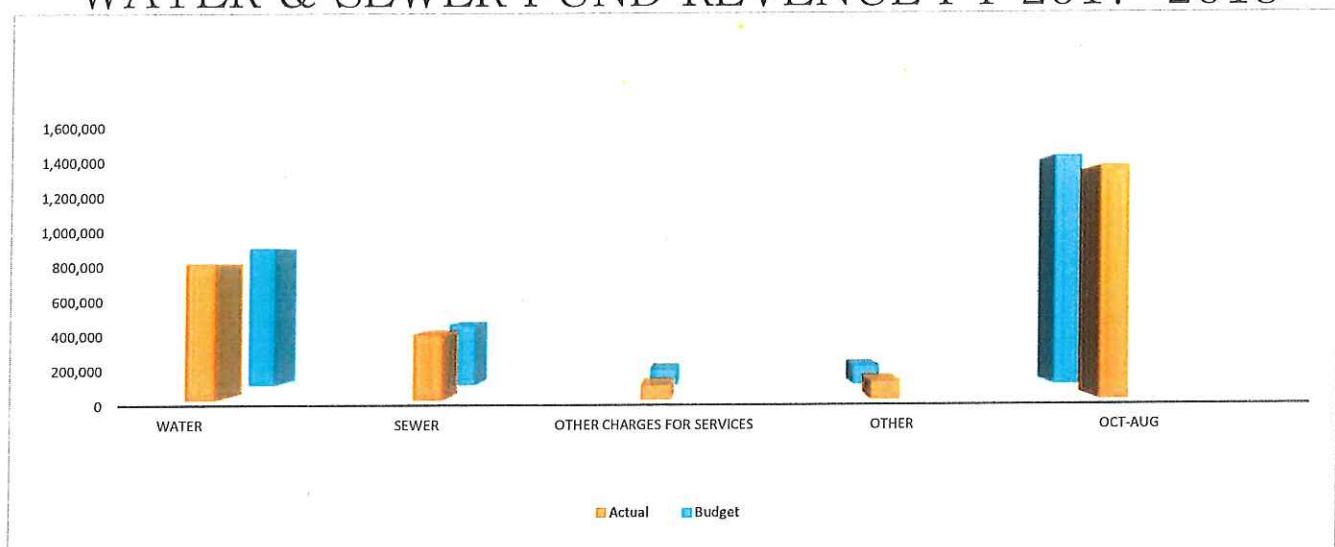
## GENERAL FUND EXPENSE FY 2017-2018



### General Fund Expense

	Admin	Police	Court	Fire	CMTY Serv.	Solid Waste	Streets	Park	Oct-Aug
Actual	550,287	808,919	122,689	728,026	154,311	222,846	507,833	29,058	3,123,969
Budget	677,035	1,001,864	191,749	841,662	205,170	235,734	640,302	87,433	3,880,949
Over / (Under) Budget	(126,748)	(192,945)	(69,060)	(113,636)	(50,859)	(12,888)	(132,469)	(58,375)	(756,980)

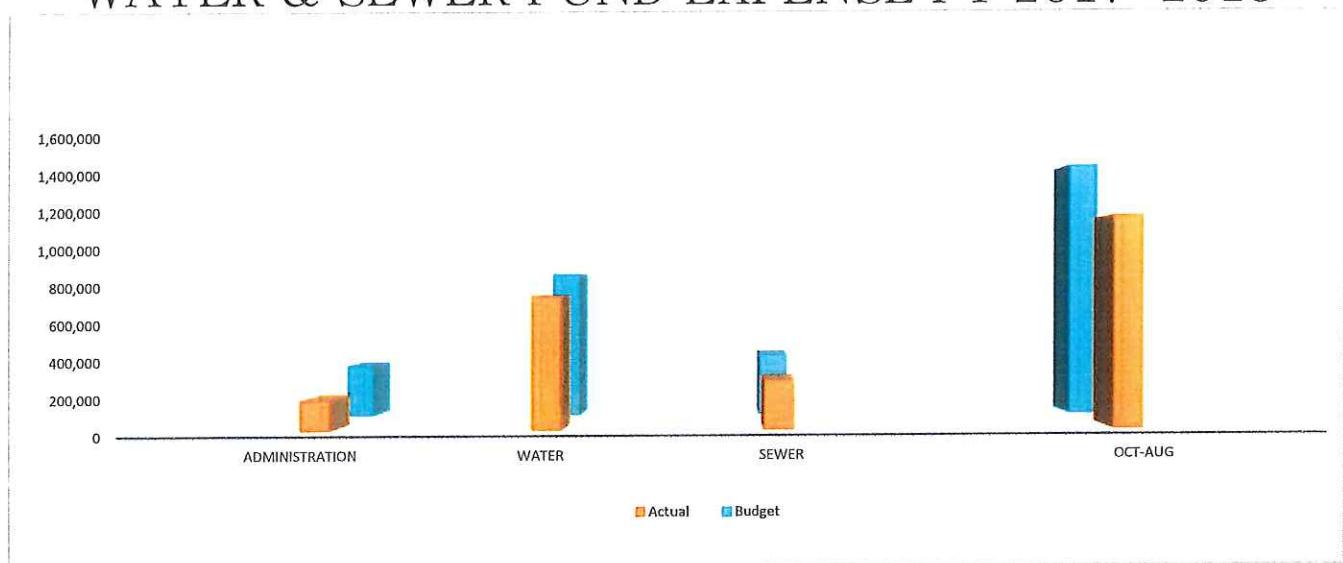
## WATER & SEWER FUND REVENUE FY 2017-2018



### Water & Sewer Revenue

	Water	Sewer	Other Charges for Services	Other	Oct-Aug
Actual	811,659	388,892	84,255	105,296	1,390,102
Budget	920,296	399,708	98,809	120,195	1,539,008
Over / (Under) Budget	(108,637)	(10,816)	(14,554)	(14,899)	(148,906)

## WATER & SEWER FUND EXPENSE FY 2017-2018



### Water & Sewer Fund Expense

	Administration	Water	Sewer	Oct-Aug
Actual	164,734	739,732	272,550	1,177,016
Budget	302,404	869,634	366,970	1,539,008
Over / (Under) Budget	(137,670)	(129,902)	(94,420)	(361,992)

	Name	Account #	Previous Balance	NEW BALANCE	As Of
<u>Debt Fund</u>		*0291	46,758.23	46,804.36	10/3/2018
<u>General Fund Reserve</u>		608	56,512.56	56,512.56	10/3/2018
<u>GF Reserve CD</u>		*0694	249,537.04	249,537.04	10/3/2018
<u>Water Impact</u>		*2322	481.79	482.11	10/3/2018
<u>4B EDC</u>		*3691	636,205.38	636,414.54	10/3/2018
<u>Fire Dept. Auxil.</u>		*3909	2,370.00	2,370.00	10/3/2018
<u>Water Money Market</u>		*4323	190,101.66	190,234.47	10/3/2018
<u>MDD Fund</u>		*7451	271,964.15	276,786.40	10/3/2018
<u>Water Credit Card</u>		*7531	140.10	140.15	10/3/2018
<u>GF Reserves Money Mkt.</u>		*7583	128,757.36	128,847.31	10/3/2018
<u>GF Money Market</u>		*7605	231,553.19	231,714.96	10/3/2018
<u>Park Fund Money Mkt.</u>		*7613	81,316.52	81,366.65	10/3/2018
<u>Capital Projects Money Mkt.</u>		*7648	131,215.26	131,306.93	10/3/2018
<u>W&amp;S Impact-Sewer</u>		*8699	117,318.69	117,435.57	10/3/2018
<u>employee benefit trust</u>		*8777	354.59	84.67	10/3/2018
<u>GF Operating</u>		*9437	856,319.00	1,274,843.18	10/3/2018
<u>W&amp;S Fund Operating</u>		*9445	766,455.92	922,257.06	10/3/2018
<u>Police Special Fund</u>		*9792	215.51	215.51	10/3/2018
<b>SUB TOTAL</b>			<b>3,767,576.95</b>	<b>4,347,353.47</b>	
TexPool - CAPITAL PROJECT		1878	313.14	313.14	10/3/2018
TexStar - GENERAL FUND		1110	3,810.75	3,810.75	10/3/2018
TexStar - GENERAL FUND		1120	949.90	949.90	10/3/2018
TexStar - W&S IMPACT		3540	3,219.20	3,219.20	10/3/2018
TexStar - CAPITAL PROJECT		5340	1,424.77	1,424.77	10/3/2018
TexStar - W&S FUND		5350	1,168.22	1,168.22	10/3/2018
Bryson Manor - GENERAL FUND		8662	199,117.47	299,215.81	10/3/2018
Leose		2510	1,601.79	1,601.79	10/3/2018
<b>TOTAL BANK BALANCES</b>			<b>3,979,182.19</b>	<b>4,659,057.05</b>	



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DATE: October 9, 2018

TO: Honorable Mayor and Council Members

FROM:  
Linda Harding, Accountant

SUBJECT: Financial Statements Through August 2018

**City of Ovilla General Fund**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over	% of Budget
	August 2018	'Oct - Aug 2018	(Under)	Thru Aug
			Budget	Budget
<b>Revenues</b>				
4000100 · Taxes				
4000105 · Ad Valorem, Current	584	1,681,783	1,649,432	32,351
4000106 · Ad Valorem, New & improvements	0	0	53,233	(53,233)
4000110 · Ad Valorem, Delinquent	-907	21,004	10,000	11,004
4000113 · Interest/Penalties - Prop Tax	171	11,140	7,000	4,140
4000120 · Sales Tax	26,457	210,293	210,957	(664)
4000125 · Sales Tax - Street Improvement	6,614	52,573	52,739	(166)
4000130 · Franchise Tax	3,767	158,847	163,000	(4,153)
<b>Total 4000100 · Taxes</b>	<b>36,685</b>	<b>2,135,639</b>	<b>2,146,361</b>	<b>(10,722)</b>
				100%
4000200 · Licenses and Permits				
4000210 · Residential Building Permits	0	47,352	60,000	(12,648)
4000214 · Misc Building Permits	1,749	34,193	23,952	10,241
4000230 · Plan Review Fee	0	17,526	12,000	5,526
4000260 · Alarm Permits	110	2,080	2,604	(524)
4000270 · Animal Tag Fees	156	2,304	3,706	(1,402)
4000272 · Impound Fees	285	1,865	2,751	(886)
4000290 · Misc Licenses and Permits	15	1,768	1,568	200
<b>Total 4000200 · Licenses and Permits</b>	<b>2,315</b>	<b>107,088</b>	<b>106,581</b>	<b>507</b>
				113%
4000400 · Charges for Services				
4000325 · ESD #2	0	95,000	190,000	(95,000)
4000330 · ESD #4	0	37,084	55,628	(18,544)
4000411 · Copies and Maps	2	41	100	(59)
4000415 · Police Reports	6	84	150	(66)
4000420 · Park Lights	0	0	500	(500)
4000440 · Oak Leaf Animal Control	0	1,950	2,100	(150)
4000450 · Subdivision Fees	0	700	6,900	(6,200)
4000480 · Solid Waste (Garbage)	19,947	219,143	264,322	(45,179)
				83%

**City of Ovilla General Fund**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over		% of Budget
			(Under)		
	August 2018	'Oct - Aug 2018	Budget	Budget	Thru Aug
4000485 · 50/50 Sidewalk Program	0	0	1,250	(1,250)	0%
4000490 · Misc Charges for Services	275	3,590	3,850	(260)	93%
<b>Total 4000400 · Charges for Services</b>	<b>20,230</b>	<b>357,592</b>	<b>524,800</b>	<b>(167,208)</b>	<b>68%</b>
 4000500 · Fines and Forfeitures					
4000535 · Omni Warrant Revenue	573	2,389	2,868	(479)	83%
4000510 · Fines - Police	8,791	166,965	265,008	(98,043)	63%
4000520 · Fines - Animal Control	0	0	456	(456)	0%
4000525 · Fines - Code Enforcement	0	592	8,949	(8,357)	7%
4000550 · Municipal Court Technology	385	4,257	5,424	(1,167)	78%
4000551 · Municipal Court Security	288	3,193	4,068	(875)	78%
4000590 · Misc Fines and Forfeitures	3,311	17,465	432	17,033	4,043%
4000592 · Warrant Fees	0	1,318	0	1,318	100%
4000593 ·	0	0	0	0	0%
<b>Total 4000500 · Fines and Forfeitures</b>	<b>13,347</b>	<b>196,179</b>	<b>287,205</b>	<b>(91,026)</b>	<b>68%</b>
 4000800 · Other Revenue					
4000810 · Heritage Day	10,780	18,498	26,000	(7,502)	71%
4000818 · Lease Proceeds	0	1,144	0	1,144	100%
4000820 · Water Tower Lease	9,887	155,839	151,921	3,918	103%
4000840 · Interest Earned	1,250	9,692	7,560	2,132	128%
4000860 · Grant Proceeds	0	9,561	0	9,561	100%
4000870 · Insurance Proceeds	0	0	0	0	0%
4000885 · Proceeds from Sale of Assets	0	1,127	0	1,127	100%
4000890 · Misc Other Revenue	295	1,635	3,500	(1,865)	47%
<b>Total 4000800 · Other Revenue</b>	<b>22,212</b>	<b>197,495</b>	<b>188,981</b>	<b>8,514</b>	<b>105%</b>
 4000900 · Transfers In					
4000905 · Weapons Purchase Plan	0	0	11,730	(11,730)	0%
4000925 · Admin.Rev. received from 4B-EDC	0	1,875	2,500	(625)	75%

**City of Ovilla General Fund**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over		% of Budget
			(Under)		
	August 2018	'Oct - Aug 2018	Budget	Budget	Thru Aug
4000927 - 4B-EDC Revenue: Monument Signs	0	0	30,000	(30,000)	0%
4000928 - 4B-EDC Revenue: Parks Master Plan	0	0	6,000	(6,000)	0%
4000930 - Admin. Rev. Rec. From W&S Fund	0	17,793	23,724	(5,931)	75%
4000940 - Admin.Rev. Rec. from MDD Fund	0	375	500	(125)	75%
4000945 - Trans in from Court Security	0	0	7,300	(7,300)	0%
4000990 - Reduction in Fund Balance	0	0	545,267	(545,267)	0%
<b>Total 4000900 - Transfers In</b>	<b>0</b>	<b>20,043</b>	<b>627,021</b>	<b>(606,978)</b>	<b>3%</b>
<b>Total Revenues</b>	<b>94,790</b>	<b>3,014,037</b>	<b>3,880,949</b>	<b>(866,912)</b>	<b>78%</b>
<b>Gross Resources</b>	<b>94,790</b>	<b>3,014,037</b>	<b>3,880,949</b>	<b>(866,912)</b>	<b>78%</b>
<b>Expenditures</b>					
10 - Administration					
5101100 - Salaries & Wages					
5101110 - City Administrator	8,077	74,019	78,750	(4,731)	94%
5101115 - City Secretary	5,000	46,875	44,250	2,625	106%
5101117 - City Accountant	4,159	38,990	39,338	(348)	99%
5101120 - Admin. Support	2,856	26,758	27,035	(277)	99%
5101180 - Merit Raises, Staff	0	0	5,682	(5,682)	0%
<b>Total 5101100 - Salaries &amp; Wages</b>	<b>20,092</b>	<b>186,642</b>	<b>195,055</b>	<b>(8,413)</b>	<b>96%</b>
5101400 - Support Staff					
5101490 - Overtime	228	295	625	(330)	47%
<b>Total 5101400 - Support Staff</b>	<b>228</b>	<b>295</b>	<b>625</b>	<b>(330)</b>	<b>47%</b>
5102100 - Employee Benefits					
5102110 - Group Insurance	2,195	26,985	31,117	(4,132)	87%
5102135 - TMRS	2,020	23,735	25,715	(1,980)	92%
5102160 - Worker's Compensation	0	1,159	933	226	124%
5102170 - Payroll Taxes	299	3,530	3,772	(242)	94%
5102180 - Unemployment Taxes	0	0	1,000	(1,000)	0%

**City of Ovilla General Fund**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over		% of Budget
			(Under)		
	August 2018	'Oct - Aug 2018	Budget	Budget	Thru Aug
5102190 - Auto Allowance	400	4,400	4,800	(400)	92%
5102196 - Indiv. Membership Dues	0	1,439	1,950	(511)	74%
<b>Total 5102100 - Employee Benefits</b>	<b>4,914</b>	<b>61,248</b>	<b>69,287</b>	<b>(8,040)</b>	<b>88%</b>
 5102200 - Special Services					
5102210 - Tax Assessing & Collecting Fees	0	1,814	1,814	0	100%
5102220 - Tax Appraisal Fee	0	14,162	18,887	(4,725)	75%
5102230 - Legal Fees	1,417	12,467	32,272	(19,805)	39%
5102240 - Audit	0	7,445	7,650	(205)	97%
5102250 - Accounting	0	705	2,000	(1,295)	35%
5102260 - Engineering Fees	0	4,437	10,000	(5,563)	44%
<b>Total 5102200 - Special Services</b>	<b>1,417</b>	<b>41,032</b>	<b>72,623</b>	<b>(31,591)</b>	<b>57%</b>
 5102300 - Contractual Services					
5102310 - Consultant Fees	500	580	10,000	(9,420)	6%
<b>Total 5102300 - Contractual Services</b>	<b>500</b>	<b>580</b>	<b>10,000</b>	<b>(9,420)</b>	<b>6%</b>
 5102500 - Operating Services					
5102530 - Custodial Service Contract	344	3,784	4,128	(344)	92%
5102540 - IT - Computer Maintenance	4,416	62,014	65,980	(3,966)	94%
<b>Total 5102500 - Operating Services</b>	<b>4,760</b>	<b>65,798</b>	<b>70,108</b>	<b>(4,310)</b>	<b>94%</b>
 5102600 - Special Expenses					
5102610 - Election - Payroll	0	480	850	(371)	56%
5102620 - Election - Supplies	0	2,156	2,500	(344)	86%
5102630 - Election Meeting Expense	0	0	100	(100)	0%
5102650 - Codification Book Update	0	1,925	3,600	(1,675)	53%
<b>Total 5102600 - Special Expenses</b>	<b>0</b>	<b>4,561</b>	<b>7,050</b>	<b>(2,489)</b>	<b>65%</b>
 5103100 - General Supplies					

**City of Ovilla General Fund**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over		% of Budget
			(Under)		
	August 2018	'Oct - Aug 2018	Budget	Budget	Thru Aug
5103110 · Office Supplies	236	7,328	8,000	(672)	92%
5103140 · Uniforms	0	0	350	(350)	0%
<b>Total 5103100 · General Supplies</b>	<b>236</b>	<b>7,328</b>	<b>8,350</b>	<b>(1,022)</b>	<b>88%</b>
5103400 · Maintenance Supplies / Parts					
5103410 · Supplies - Custodial	51	1,064	1,500	(436)	71%
5103440 · Maintenance Agreement Expense	0	0	400	(400)	0%
5103460 · Miscellaneous	5	155	1,500	(1,345)	10%
<b>Total 5103400 · Maintenance Supplies / Parts</b>	<b>57</b>	<b>1,219</b>	<b>3,400</b>	<b>(2,181)</b>	<b>36%</b>
5104200 · Travel Expenses					
5104210 · Travel - Local	1,129	1,454	500	954	291%
5104220 · Professional Development	1,025	3,305	6,550	(3,245)	50%
5104222 · Professional Develop - Council	395	1,386	1,300	86	107%
5104225 · City Council Meal Expense	276	1,590	2,200	(610)	72%
5104230 · Professional Develop - In-House	0	0	500	(500)	0%
<b>Total 5104200 · Travel Expenses</b>	<b>2,824</b>	<b>7,735</b>	<b>11,050</b>	<b>(3,315)</b>	<b>70%</b>
5105200 · Data Processing Expenses					
5105230 · Data Proc-Maintenance & Repair	0	0	272	(272)	0%
5105240 · Data Processing - Software	11,750	29,803	36,693	(6,890)	81%
<b>Total 5105200 · Data Processing Expenses</b>	<b>11,750</b>	<b>29,803</b>	<b>36,965</b>	<b>(7,162)</b>	<b>81%</b>
5105300 · Printing Expense					
5105310 · Copier Expense	440	2,983	4,476	(1,493)	67%
5105320 · Printing - Newsletters	0	3,539	5,108	(1,569)	69%
5105330 · Printing - Forms	0	307	1,500	(1,193)	20%
<b>Total 5105300 · Printing Expense</b>	<b>440</b>	<b>6,829</b>	<b>11,084</b>	<b>(4,255)</b>	<b>62%</b>
5105400 · Utilities					

**City of Ovilla General Fund**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over		% of Budget
			(Under)		
	August 2018	'Oct - Aug 2018	Budget	Budget	Thru Aug
5105410 · Telephone	128	1,404	1,500	(96)	94%
5105415 · Cellular Phone	119	1,313	1,450	(137)	91%
5105417 · Internet	160	1,760	2,823	(1,063)	62%
5105420 · Wireless Cards	76	836	912	(76)	92%
5105450 · Electricity	354	3,483	4,635	(1,152)	75%
<b>Total 5105400 · Utilities</b>	<b>837</b>	<b>8,796</b>	<b>11,320</b>	<b>(2,524)</b>	<b>78%</b>
 5105500 · Repairs & Bldg Improvements					
5105520 · Repairs - Buildings	375	6,157	11,500	(5,343)	54%
5105540 · Repairs - Machinery & Equipment	0	0	500	(500)	0%
5105590 · Repairs - Other	0	506	1,300	(794)	39%
<b>Total 5105500 · Repairs &amp; Bldg Improvements</b>	<b>375</b>	<b>6,662</b>	<b>13,300</b>	<b>(6,638)</b>	<b>50%</b>
 5105600 · Insurance					
5105610 · Insurance - Property	0	1,915	1,915	0	100%
5105620 · Insurance - Liability	0	800	800	0	100%
5105630 · Insurance - Fidelity Bond	0	250	300	(50)	83%
5105632 · Notary Bond	50	213	450	(237)	47%
5105635 · Public Officials Surety Bonds	0	260	2,210	(1,950)	12%
<b>Total 5105600 · Insurance</b>	<b>50</b>	<b>3,438</b>	<b>5,675</b>	<b>(2,237)</b>	<b>61%</b>
 5105700 · Other Expenses					
5105705 · Postage	550	5,156	6,756	(1,600)	76%
5105710 · Cash - Over/Short	0	0	10	(10)	0%
5105725 · Records Management Expense	0	1,395	1,500	(105)	93%
5105730 · City - Memberships	120	1,951	2,500	(549)	78%
5105740 · Legal Notices/Advertisement	1,681	5,898	9,000	(3,102)	66%
5105752 · Employment Screening	0	0	400	(400)	0%
5105753 · Solicitor Screening	0	185	200	(15)	93%
5105760 · Bank Service Charge	17	100	100	(0)	100%

**City of Ovilla General Fund**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over		% of Budget
			(Under)		
	August 2018	'Oct - Aug 2018	Budget	Budget	Thru Aug
5105764 · Filing Fees	34	765	500	265	153%
5105765 · Miscellaneous	383	1,624	2,767	(1,143)	59%
<b>Total 5105700 · Other Expenses</b>	<b>2,785</b>	<b>17,074</b>	<b>23,733</b>	<b>(6,659)</b>	<b>72%</b>
5106400 · Minor Capital Outlay					
5106440 · Machinery & Equipment	0	0	313	(313)	0%
5106465 · Furniture	0	1,687	1,687	(0)	100%
<b>Total 5106400 · Minor Capital Outlay</b>	<b>0</b>	<b>1,687</b>	<b>2,000</b>	<b>(313)</b>	<b>84%</b>
5107400 - Capitalized Assets					
5107420 - Buildings	0	5,792	31,640	(25,848)	18%
<b>Total 5107400 - Capitalized Assets</b>	<b>0</b>	<b>5,792</b>	<b>31,640</b>	<b>(25,848)</b>	<b>18%</b>
5109000 · Reserves					
5109015 - Reserve for FD & PD Radios	93,770	93,770	93,770	(0)	100%
<b>Total 5109000 - Reserves</b>	<b>93,770</b>	<b>93,770</b>	<b>93,770</b>	<b>(0)</b>	<b>1</b>
<b>Total 10 · Administration</b>	<b>145,035</b>	<b>550,287</b>	<b>677,035</b>	<b>(126,748)</b>	<b>81%</b>
20 · Police					
5201100 · Salaries & Wages					
5201120 · Police Chief	5,882	70,587	74,243	(3,656)	95%
5201143 · Command Staff	4,541	54,488	57,309	(2,821)	95%
5201150 · Certification Pay	185	2,215	2,400	(185)	92%
5201180 · Merit Raises - Staff	0	0	3,947	(3,947)	0%
<b>Total 5201100 · Salaries &amp; Wages</b>	<b>10,608</b>	<b>127,290</b>	<b>137,899</b>	<b>(10,609)</b>	<b>92%</b>
5201400 · Support Salaries					
5201405 · Support Staff	2,442	29,299	30,826	(1,527)	95%
5201408 · Sergeant	3,734	52,148	88,047	(35,899)	59%
5201410 · Patrol	16,954	253,687	248,352	5,335	102%

**City of Ovilla General Fund**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over		% of Budget
			(Under)		
	August 2018	'Oct - Aug 2018	Budget	Budget	92%
5201412 - Patrol Part Time	1,050	19,525	20,500	(975)	95%
5201415 · Certification Pay	69	1,015	2,701	(1,686)	38%
5201470 - Salary Increase	0	0	6,220	(6,220)	0%
5201480 · Merit Raises	0	0	10,012	(10,012)	0%
5201490 · Overtime	1,901	11,254	16,000	(4,746)	70%
<b>Total 5201400 · Support Salaries</b>	<b>26,150</b>	<b>366,929</b>	<b>422,658</b>	<b>(55,729)</b>	<b>87%</b>
 5202100 · Employee Benefits					
5202110 · Group Insurance	5,513	70,522	84,581	(14,059)	83%
5202135 · TMRS	3,549	46,575	53,161	(6,586)	88%
5202160 · Worker's Compensation	5	13,420	12,471	949	108%
5202170 · Payroll Taxes	578	8,080	8,789	(709)	92%
5202196 · Membership Dues	0	403	403	0	100%
<b>Total 5202100 · Employee Benefits</b>	<b>9,646</b>	<b>139,000</b>	<b>159,405</b>	<b>(20,405)</b>	<b>87%</b>
 5202300 · Contractual Services					
5202355 · Contract Labor - Individual	0	0	500	(500)	0%
5202356 · Gingerbread House	0	1,000	1,000	0	100%
5202380 · Dispatch	0	7,962	15,925	(7,963)	50%
5202385 · Jail Expense	0	0	1,000	(1,000)	0%
5202390 · Special Response Team	0	7,500	8,500	(1,000)	88%
5202395 · Contractual Services Other	0	0	1,000	(1,000)	0%
<b>Total 5202300 · Contractual Services</b>	<b>0</b>	<b>16,462</b>	<b>27,925</b>	<b>(11,463)</b>	<b>59%</b>
 5202500 · Operating Services					
5202530 · Custodial Service Contract	235	2,556	2,820	(264)	91%
5202540 · Computer Maintenance	0	463	700	(237)	66%
5202560 · Internet Subscriptions	0	330	1,350	(1,020)	24%
<b>Total 5202500 · Operating Services</b>	<b>235</b>	<b>3,349</b>	<b>4,870</b>	<b>(1,521)</b>	<b>69%</b>

**City of Ovilla General Fund**  
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	Current	Year to Date	\$ Over (Under)	% of Budget
	August 2018	'Oct - Aug 2018	Budget	Thru Aug
			Budget	92%
<b>5202600 · Special Expenses</b>				
5202675 · National Night Out	0	135	500	(365) 27%
<b>Total 5202600 · Special Expenses</b>	0	135	500	(365) 27%
<b>5203100 · General Supplies</b>				
5203110 · Office Supplies	-30	1,102	1,949	(847) 57%
5203140 · Uniforms	1,627	5,537	8,500	(2,963) 65%
5203170 · Evidence Gathering	26	615	700	(85) 88%
<b>Total 5203100 · General Supplies</b>	1,624	7,255	11,149	(3,895) 65%
<b>5203400 · Maintenance Supplies &amp; Parts</b>				
5203410 · Supplies - Custodial	0	725	984	(259) 74%
<b>Total 5203400 · Maintenance Supplies &amp; Parts</b>	0	725	984	(259) 74%
<b>5204200 · Travel Expenses</b>				
5204210 · Travel - Local	0	578	1,000	(422) 58%
5204220 · Professional Development	1,250	5,490	7,827	(2,337) 70%
5204225 · Professional Dev - LEOSE	0	2,295	0	2,295 100%
5204235 · Ammo	716	779	1,000	(221) 78%
5204270 · Vehicle Expenses	1,653	19,210	24,000	(4,790) 80%
<b>Total 5204200 · Travel Expenses</b>	3,619	28,353	33,827	(5,474) 84%
<b>5205200 · Data Processing Expenses</b>				
5205220 · Data Proc - Equipment	0	439	5,000	(4,561) 9%
5205240 · Data Processing - Software	0	17,851	18,000	(149) 99%
<b>Total 5205200 · Data Processing Expenses</b>	0	18,290	23,000	(4,710) 80%
<b>5205300 · Printing Expenses</b>				
5205310 · Copier Expense	0	906	1,210	(304) 75%

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	Current	Year to Date	\$ Over		% of Budget
			(Under)		
	August 2018	'Oct - Aug 2018	Budget	Budget	Thru Aug
5205330 · Printing - Forms	0	300	300	0	100%
5205350 · Printing - Other	17	177	448	(271)	40%
<b>Total 5205300 · Printing Expenses</b>	<b>17</b>	<b>1,383</b>	<b>1,958</b>	<b>(575)</b>	<b>71%</b>
5205400 · Utilities					
5205410 · Telephone	125	1,370	1,500	(130)	91%
5205415 · Cellular Phone	99	1,087	1,188	(101)	91%
5205417 · Internet - PD	160	1,760	1,920	(160)	92%
5205420 · Wireless Cards	190	2,089	3,192	(1,103)	65%
5205450 · Electricity	231	3,065	4,500	(1,435)	68%
<b>Total 5205400 · Utilities</b>	<b>804</b>	<b>9,371</b>	<b>12,300</b>	<b>(2,929)</b>	<b>76%</b>
5205500 · Repairs & Building Improvements					
5205520 · Repairs - Building	408	772	4,816	(4,044)	16%
5205540 · Repairs- Machinery & Equipment	0	96	1,000	(904)	10%
5205550 · Repairs - Vehicles	1,271	7,096	10,000	(2,904)	71%
<b>Total 5205500 · Repairs &amp; Building Improvements</b>	<b>1,679</b>	<b>7,965</b>	<b>15,816</b>	<b>(7,851)</b>	<b>50%</b>
5205600 · Insurance					
5205610 · Insurance - Property	0	1,950	1,950	0	100%
5205620 · Insurance - Liability	0	5,348	5,348	0	100%
5205640 · Insurance - Vehicle	0	4,908	4,908	0	100%
<b>Total 5205600 · Insurance</b>	<b>0</b>	<b>12,206</b>	<b>12,206</b>	<b>0</b>	<b>100%</b>
5205700 · Other Expenses					
5205742 · Public Relations	0	0	550	(550)	0%
5205745 · Weapons Purchase Plan	2,521	2,521	11,730	(9,209)	21%
5205752 · Employment Screening	245	863	1,550	(687)	56%
5205765 · Miscellaneous	204	1,459	1,500	(41)	97%
<b>Total 5205700 · Other Expenses</b>	<b>2,970</b>	<b>4,843</b>	<b>15,330</b>	<b>(10,487)</b>	<b>32%</b>

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	Current	Year to Date	\$ Over (Under)	% of Budget
	August 2018	'Oct - Aug 2018	Budget	Thru Aug
			Budget	92%
5206400 · Minor Capital Outlay				
5206440 · Machinery & Equipment	702	3,908	8,887	(4,979) 44%
5206445 · Personal Protective Equipment	7,137	9,258	2,600	6,658 356%
5206450 · Vehicles	0	52,198	110,550	(58,352) 47%
<b>Total 5206400 · Minor Capital Outlay</b>	<b>7,839</b>	<b>65,364</b>	<b>122,037</b>	<b>(56,673) 54%</b>
 Total 20 · Police	 65,190	 808,919	 1,001,864	 (192,945) 81%
25 · Municipal Court				
5251100 · Salaries & Wages				
5251140 · Municipal Judge	634	8,236	11,110	(2,875) 74%
<b>Total 5251100 · Salaries &amp; Wages</b>	<b>634</b>	<b>8,236</b>	<b>11,110</b>	<b>(2,875) 74%</b>
 5251400 · Support Staff	 2,829	 33,946	 34,695	 (749) 98%
5251405 · Support Staff	2,829	33,946	34,695	(749) 98%
5251470 · Salary Increase	0	0	1,041	(1,041)
5251480 · Merit Raises	0	0	1,041	(1,041)
5251490 · Overtime	103	1,088	1,400	(312) 78%
<b>Total 5251400 · Support Staff</b>	<b>2,932</b>	<b>35,034</b>	<b>38,177</b>	<b>(3,143) 92%</b>
 5252100 · Employee Benefits	 634	 7,589	 7,612	 (23) 100%
5252110 · Group Insurance	634	7,589	7,612	(23) 100%
5252135 · TMRS	281	3,441	3,637	(196) 95%
5252160 · Worker's Compensation	0	156	156	0 100%
5252170 · Payroll Taxes	89	1,135	1,384	(249) 82%
5252196 · Membership Dues	0	75	75	0 100%
<b>Total 5252100 · Employee Benefits</b>	<b>1,005</b>	<b>12,396</b>	<b>12,864</b>	<b>(468) 96%</b>
 5252300 · Contractual Services				

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	Current	Year to Date	\$ Over		% of Budget
			(Under)	Budget	
	August 2018	'Oct - Aug 2018	Budget	Budget	Thru Aug
5251420 · Jury Fees	0	0	185	(185)	0%
5251425 · City Prosecutor	365	8,227	11,970	(3,743)	69%
5251450 · Contract Labor - Company	0	600	600	0	100%
5252375 · Comptroller - Warrant Fees	0	41,782	96,000	(54,218)	44%
<b>Total 5252300 · Contractual Services</b>	<b>365</b>	<b>50,609</b>	<b>108,755</b>	<b>(58,146)</b>	<b>47%</b>
5253100 · General Supplies					
5253110 · Office Supplies	0	65	133	(68)	49%
5253140 · Uniforms	0	10	50	(40)	20%
<b>Total 5253100 · General Supplies</b>	<b>0</b>	<b>75</b>	<b>183</b>	<b>(108)</b>	<b>41%</b>
5254200 · Travel Expenses					
5254210 - Travel - Local	0	0	25	(25)	0%
5254220 · Professional Development	0	0	50	(50)	0%
<b>Total 5254200 · Travel Expenses</b>	<b>0</b>	<b>0</b>	<b>75</b>	<b>(75)</b>	<b>0%</b>
5255200 · Data Processing Expenses					
5255240 · Data Processing - SW Maint.	0	2,153	2,351	(198)	92%
<b>Total 5255200 · Data Processing Expenses</b>	<b>0</b>	<b>2,153</b>	<b>2,351</b>	<b>(198)</b>	<b>92%</b>
5255300 · Printing Expense					
5255350 · Printing - Other	0	842	842	(0)	100%
<b>Total 5255300 · Printing Expense</b>	<b>0</b>	<b>842</b>	<b>842</b>	<b>(0)</b>	<b>100%</b>
5255600 · Insurance					
5255620 · Insurance - Liability	0	210	210	0	100%
<b>Total 5255600 · Insurance</b>	<b>0</b>	<b>210</b>	<b>210</b>	<b>0</b>	<b>100%</b>
5255700 · Other Expenses					
5255765 · Miscellaneous	0	0	50	(50)	0%

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	Current	Year to Date	\$ Over		% of Budget
			(Under)		
	August 2018	'Oct - Aug 2018	Budget	Budget	Thru Aug
5255768 · Collection Agency Fees	548	7,988	8,868	(880)	90%
5255772 · Warrant Fee - Omni	0	5,148	8,264	(3,116)	62%
<b>Total 5255700 · Other Expenses</b>	<b>548</b>	<b>13,136</b>	<b>17,182</b>	<b>(4,046)</b>	<b>76%</b>
 Total 25 · Municipal Court	 5,484	 122,689	 191,749	 (69,060)	 64%
 30 · Fire					
5301100 · Salaries & Wages					
5301125 · Fire Chief	3,128	37,457	40,572	(3,115)	92%
5301135 · Deputy Chief/Fire January shall	0	18,912	18,912	(0)	100%
5301140 · Fire Captains	5,396	65,142	70,967	(5,825)	92%
5301150 · Officer in Charge & Holiday	408	11,720	12,896	(1,176)	91%
5301170 · Salary Increase	0	0	0	0	0%
5301180 · Merit Raises - Staff	0	0	4,048	(4,048)	0%
<b>Total 5301100 · Salaries &amp; Wages</b>	<b>8,932</b>	<b>133,231</b>	<b>147,395</b>	<b>(14,164)</b>	<b>90%</b>
 5301400 · Support Salaries					
5301440 · Firefighters	27,135	300,672	326,785	(26,113)	92%
5301442 · Salary Increase	0	0	0	0	0%
5301470 · Salary Increase	0	0	0	0	0%
5301480 · Merit Raises	0	0	0	0	0%
5301485 · Volunteer Incentive Program	1,535	17,872	19,197	(1,325)	93%
<b>Total 5301400 · Support Salaries</b>	<b>28,670</b>	<b>318,544</b>	<b>345,982</b>	<b>(27,438)</b>	<b>92%</b>
 5302100 · Employee Benefits					
5302135 · TMRS	311	5,624	5,953	(329)	94%
5302137 · Volunteer Retirement	5,794	6,919	6,919	(0)	100%
5302160 · Worker's Compensation	0	14,886	14,886	(0)	100%
5302170 · Payroll Taxes	2,565	29,650	32,188	(2,538)	92%
5302196 · Membership Dues	0	2,130	2,310	(180)	92%

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	Current	Year to Date	\$ Over		% of Budget
			(Under)		
	August 2018	'Oct - Aug 2018	Budget	Budget	Thru Aug
<b>Total 5302100 · Employee Benefits</b>			62,256	(3,048)	95%
5302300 · Contractual Services					
5302310 · Consultant Fees	0	1,500	1,500	0	100%
5302380 · Dispatch	0	8,447	15,925	(7,478)	53%
5302385 · Emergency Transport Service	0	47,669	63,559	(15,890)	75%
<b>Total 5302300 · Contractual Services</b>	0	57,616	80,984	(23,368)	71%
5302500 · Operating Services					
5302510 · Maintenance Agreements	0	6,756	6,896	(140)	98%
5302570 · Warning System Maintenance	0	2,500	2,500	0	100%
5302580 · Generator Maintenance	0	1,379	1,379	0	100%
<b>Total 5302500 · Operating Services</b>	0	10,635	10,775	(140)	99%
5302600 · Special Expenses					
5302675 · National Night Out	0	236	323	(87)	73%
<b>Total 5302600 · Special Expenses</b>	0	236	323	(87)	73%
5303100 · General Supplies					
5303110 · Office Supplies	0	322	583	(261)	55%
5303140 · Uniforms	0	2,937	5,000	(2,063)	59%
5303160 · Medical Supplies	1,343	6,121	8,000	(1,879)	77%
5303165 · Medical Support	0	848	890	(42)	95%
5303170 · Evidence Gathering	667	800	800	0	100%
5303175 · Education Aids	0	0	234	(234)	0%
<b>Total 5303100 · General Supplies</b>	2,010	11,027	15,507	(4,480)	71%
5303400 · Maintenance Supplies & Parts					
5303410 · Supplies - Custodial	0	2,344	2,494	(150)	94%
5303420 · Building Alarm Maintenance	0	2,250	2,505	(255)	90%

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			(Under)		
	August 2018	'Oct - Aug 2018	Budget	Budget	Thru Aug
<b>Total 5303400 · Maintenance Supplies &amp; Parts</b>			4,999	(405)	92%
	0	4,594			92%
<b>5304200 · Travel Expenses</b>					
5304220 · Professional Development	16	1,872	1,873	(1)	100%
5304270 · Vehicle Expenses	1,044	9,249	10,321	(1,072)	90%
<b>Total 5304200 · Travel Expenses</b>	1,060	11,122	12,194	(1,072)	91%
<b>5305200 · Data Processing Expenses</b>					
5305230 · Data Proc-Maintenance & Repair	0	563	563	(0)	100%
5305240 · Data Processing - Software	0	6,780	6,780	(0)	100%
<b>Total 5305200 · Data Processing Expenses</b>	0	7,343	7,343	(0)	100%
<b>5305300 · Printing Expense</b>					
5305310 · Copier Expense	319	3,308	3,309	(1)	100%
5305330 · Printing - Forms	0	0	0	0	0%
<b>Total 5305300 · Printing Expense</b>	319	3,308	3,309	(1)	100%
<b>5305400 · Utilities</b>					
5305410 · Telephone	285	2,632	2,917	(285)	90%
5305415 · Cellular Phone	124	1,616	1,741	(125)	93%
5305417 · Internet - Fire Dept.	464	5,105	5,570	(465)	92%
5305430 · Natural Gas	59	2,277	2,339	(62)	97%
5305450 · Electricity	464	4,570	5,150	(581)	89%
<b>Total 5305400 · Utilities</b>	1,395	16,199	17,717	(1,518)	91%
<b>5305500 · Repairs &amp; Bldg Improvements</b>					
5305520 · Repairs - Building	20,397	31,761	36,703	(4,942)	87%
5305540 · Repairs - Machinery & Equipment	102	7,588	7,912	(324)	96%
5305545 · Repairs - Apparatus	1,543	27,947	31,238	(3,291)	89%
5305550 · Repairs - Vehicles	106	574	575	(1)	100%
<b>Total 5305500 · Repairs &amp; Bldg Improvements</b>	22,148	67,871	76,428	(8,557)	89%

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	August 2018	'Oct - Aug 2018	Budget	Thru Aug
			Budget	92%
<b>5305600 · Insurance</b>				
5305610 · Insurance - Property	0	1,783	1,783	0 100%
5305620 · Insurance - Liability	0	1,428	1,428	0 100%
5305640 · Insurance - Vehicle	0	12,845	12,845	0 100%
<b>Total 5305600 · Insurance</b>	<b>0</b>	<b>16,056</b>	<b>16,056</b>	<b>0 100%</b>
<b>5305700 · Other Expenses</b>				
5305705 · Postage	0	0	0	0 0%
5305752 · Employment Screening	112	234	234	0 100%
5305765 · Flags & Miscellaneous	0	0	0	0 0%
<b>Total 5305700 · Other Expenses</b>	<b>112</b>	<b>234</b>	<b>234</b>	<b>0 100%</b>
<b>5306400 · Minor Capital Outlay</b>				
5306440 · Machinery & Equipment	0	490	15,476	(14,986) 3%
5306445 · Personal Protective Equipment	2,969	10,312	24,684	(14,372) 42%
<b>Total 5306400 · Minor Capital Outlay</b>	<b>2,969</b>	<b>10,802</b>	<b>40,160</b>	<b>(29,358) 27%</b>
<b>Total 30 · Fire</b>	<b>76,285</b>	<b>728,026</b>	<b>841,662</b>	<b>(113,636) 86%</b>
<b>40 · Community Services</b>				
<b>    5401100 · Salaries &amp; Wages</b>				
5401135 · ACO/Code Enforcement Officer	3,784	45,408	47,757	(2,349) 95%
5401140 · Permit Clerk - Code	3,429	21,668	21,643	25 100%
5401180 · Merit Raises - Staff	0	0	2,083	(2,083) 0%
5401190 · Overtime	869	9,227	7,500	1,727 123%
<b>Total 5401100 · Salaries &amp; Wages</b>	<b>8,082</b>	<b>76,304</b>	<b>78,983</b>	<b>(2,679) 97%</b>
<b>    5402100 · Employee Benefits</b>				
5402110 · Group Insurance	1,029	10,837	15,399	(4,562) 70%
5402135 · TMRS	808	9,530	10,014	(484) 95%

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	Current	Year to Date	\$ Over (Under)	% of Budget
	August 2018	'Oct - Aug 2018	Budget	Thru Aug
			Budget	92%
5402160 · Worker's Compensation	0	456	392	64 116%
5402170 · Payroll Taxes	112	1,362	1,469	(107) 93%
5402190 · License	481	481	625	(144) 77%
<b>Total 5402100 · Employee Benefits</b>	<b>2,430</b>	<b>22,665</b>	<b>27,899</b>	<b>(5,234) 81%</b>
5402300 · Contractual Services				
5402315 · Contract Building Inspections	10,663	43,421	43,800	(379) 99%
5402370 · Impound Fees	200	1,541	2,300	(759) 67%
<b>Total 5402300 · Contractual Services</b>	<b>10,863</b>	<b>44,962</b>	<b>46,100</b>	<b>(1,138) 98%</b>
5402600 · Special Expenses				
5402680 · Environmental Testing	0	61	1,820	(1,759) 3%
5402683 - Septic Tank Fee to State	0	30	100	(70) 30%
5402685 · Clean up Day	0	0	100	(100) 0%
5402687 - Abatement Nuisance	0	1,680	1,680	0 100%
<b>Total 5402600 · Special Expenses</b>	<b>0</b>	<b>1,771</b>	<b>3,700</b>	<b>(1,929) 48%</b>
5403100 · General Supplies				
5403110 · Office Supplies	0	34	50	(16) 68%
5403120 · Animal Care	0	78	150	(72) 52%
5403122 · Pet Supplies	84	544	600	(56) 91%
5403140 · Uniforms	0	205	600	(395) 34%
<b>Total 5403100 · General Supplies</b>	<b>84</b>	<b>861</b>	<b>1,400</b>	<b>(539) 62%</b>
5403400 · Maintenance Supplies & Parts				
5403460 · Miscellaneous	0	0	200	(200) 0%
<b>Total 5403400 · Maintenance Supplies &amp; Parts</b>	<b>0</b>	<b>0</b>	<b>200</b>	<b>(200) 0%</b>
5404200 · Travel Expenses				
5404210 · Travel - Local	0	0	25	(25) 0%

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	Current	Year to Date	\$ Over		% of Budget
			(Under)		
	August 2018	'Oct - Aug 2018	Budget	Budget	Thru Aug
5404220 · Professional Development	0	425	425	(0)	100%
5404270 · Vehicle Expenses	211	2,538	2,975	(437)	85%
<b>Total 5404200 · Travel Expenses</b>	<b>211</b>	<b>2,963</b>	<b>3,425</b>	<b>(462)</b>	<b>87%</b>
5405200 · Data Processing Expenses					
5405240 · Data Processing - Software	0	2,500	2,500	0	100%
<b>Total 5405200 · Data Processing Expenses</b>	<b>0</b>	<b>2,500</b>	<b>2,500</b>	<b>0</b>	<b>100%</b>
5405300 · Printing Expense					
5405330 · Printing - Forms	0	0	400	(400)	0%
<b>Total 5405300 · Printing Expense</b>	<b>0</b>	<b>0</b>	<b>400</b>	<b>(400)</b>	<b>0%</b>
5405400 · Utilities					
5405415 · Cellular Phone	74	936	1,074	(138)	87%
<b>Total 5405400 · Utilities</b>	<b>74</b>	<b>936</b>	<b>1,074</b>	<b>(138)</b>	<b>87%</b>
5405600 · Insurance					
5405610 · Insurance - Property	0	10	10	0	100%
5405620 · Insurance - Liability	0	183	183	0	100%
5405640 · Insurance - Vehicle	0	63	63	0	100%
<b>Total 5405600 · Insurance</b>	<b>0</b>	<b>256</b>	<b>256</b>	<b>0</b>	<b>100%</b>
5405700 · Other Expenses					
5405765 · Miscellaneous	0	25	300	(275)	8%
<b>Total 5405700 · Other Expenses</b>	<b>0</b>	<b>25</b>	<b>300</b>	<b>(275)</b>	<b>8%</b>
5406400 · Minor Capital Outlay					
5406440 · Machinery & Equipment	0	1,069	1,100	(31)	97%
<b>Total 5406400 · Minor Capital Outlay</b>	<b>0</b>	<b>1,069</b>	<b>1,100</b>	<b>(31)</b>	<b>97%</b>

**City of Ovilla General Fund**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over (Under)	% of Budget
	August 2018	'Oct - Aug 2018	Budget	Thru Aug
			Budget	92%
<b>5407400 · Capitalized Assets</b>				
<b>5407450 · Vehicles</b>	0	0	37,833	(37,833) 0%
<b>Total 5406400 · Minor Capital Outlay</b>	0	0	37,833	(37,833) 0%
 <b>Total 40 · Community Services</b>	 21,744	 154,311	 205,170	 (50,859) 75%
 <b>45 · Solid Waste</b>				
<b>5455400 · Utilities</b>				
<b>5455465 · Solid waste Pickup (Garbage)</b>	20,602	222,846	235,734	(12,888) 95%
<b>Total 5455400 · Utilities</b>	20,602	222,846	235,734	(12,888) 95%
 <b>Total 45 · Solid Waste</b>	 20,602	 222,846	 235,734	 (12,888) 95%
 <b>50 · Streets</b>				
<b>5501400 · Support Staff</b>				
<b>5501415 · Maintenance Crew</b>	2,088	4,176	27,144	(22,968) 15%
<b>5501480 · Merit Raises</b>	0	0	815	(815) 0%
<b>5501490 · Overtime</b>	245	313	1,500	(1,187) 21%
<b>5501500 · Streets - On Call</b>	50	100	600	(500) 17%
<b>Total 5501400 · Support Staff</b>	2,383	4,589	30,059	(25,470) 15%
 <b>5502100 · Employee Benefits</b>				
<b>5502110 · Group Insurance</b>	710	720	7,553	(6,833) 10%
<b>5502135 · TMRS</b>	237	456	2,913	(2,457) 16%
<b>5502160 · Worker's Compensation</b>	0	1,611	1,882	(271) 86%
<b>5502170 · Payroll Taxes</b>	40	77	428	(351) 18%
<b>5502190 · License</b>	0	25	122	(97) 20%
<b>Total 5502100 · Employee Benefits</b>	986	2,889	12,898	(10,009) 22%

**City of Ovilla General Fund**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over (Under)	% of Budget
	August 2018	'Oct - Aug 2018	Budget	Thru Aug
			Budget	92%
<b>5502200 · Special Services</b>				
5502280 · NCTCOG- SWMP Fees	0	100	3,360	(3,260) 3%
<b>Total 5502200 · Special Services</b>	0	100	3,360	(3,260) 3%
<b>5502600 · Special Expenses</b>				
5502620 · Emergency Clean Up	0	2,295	2,300	(5) 100%
<b>Total 5502600 · Special Expenses</b>	0	2,295	2,300	(5) 100%
<b>5503100 · General Supplies</b>				
5503110 · Office Supplies	0	0	100	(100) 0%
5503140 · Uniforms	0	463	600	(137) 77%
<b>Total 5503100 · General Supplies</b>	0	463	700	(237) 66%
<b>5503400 · Maintenance Supplies &amp; Parts</b>				
5503405 · Drainage Maintenance	0	0	500	(500) 0%
5503420 · Supplies - Street Signs	0	1,960	2,400	(440) 82%
5503460 · Miscellaneous	0	320	350	(30) 91%
<b>Total 5503400 · Maintenance Supplies &amp; Parts</b>	0	2,280	3,250	(970) 70%
<b>5504200 · Travel Expenses</b>				
5504220 · Professional Development	0	90	100	(10) 90%
5504270 · Vehicle Expenses	200	3,068	5,650	(2,582) 54%
<b>Total 5504200 · Travel Expenses</b>	200	3,158	5,750	(2,592) 55%
<b>5505300 · Printing Expense</b>				
5505350 · Printing - Other	0	0	350	(350) 0%
<b>Total 5505300 · Printing Expense</b>	0	0	350	(350) 0%

**City of Ovilla General Fund**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over (Under)	% of Budget
	August 2018	'Oct - Aug 2018	Budget	Thru Aug
			Budget	92%
<b>5505400 · Utilities</b>				
5505450 · Electricity	3,691	41,453	47,000	(5,547) 88%
<b>Total 5505400 · Utilities</b>	<b>3,691</b>	<b>41,453</b>	<b>47,000</b>	<b>(5,547) 88%</b>
<b>5505500 · Repairs &amp; Bldg Improvements</b>				
5405520 · Repairs - Building	0	0	500	(500) 0%
5505540 · Repairs - Machinery & Equipment	5,114	7,320	7,500	(180) 98%
5505550 · Repairs - Vehicles	71	2,251	2,500	(249) 90%
5505560 · Repairs -Street Maint.& Repairs	4,955	18,822	34,000	(15,178) 55%
5505565 · Repairs - Infrastructure Drainage	17,050	18,702	19,000	(298) 98%
5505575 · Repairs - 50/50 Sidewalk Program	0	0	2,500	(2,500) 0%
5505590 · Repairs - Other	832	1,218	1,500	(282) 81%
<b>Total 5505500 · Repairs &amp; Bldg Improvements</b>	<b>28,022</b>	<b>48,313</b>	<b>67,500</b>	<b>(19,187) 72%</b>
<b>5505600 · Insurance</b>				
5505620 · Insurance - Liability	0	1,787	1,787	0 100%
5505640 · Insurance - Vehicle	0	3,168	3,168	0 100%
<b>Total 5505600 · Insurance</b>	<b>0</b>	<b>4,955</b>	<b>4,955</b>	<b>0 100%</b>
<b>5505700 · Other Expenses</b>				
5505752 · Employment Screening	0	0	150	(150) 0%
<b>Total 5505700 · Other Expenses</b>	<b>0</b>	<b>0</b>	<b>150</b>	<b>(150) 0%</b>
<b>5506400 · Minor Capital Outlay</b>				
5506440 · Machinery & Equipment	1,959	2,285	2,500	(215) 91%
5506445 · Personal Protective Equipment	0	95	300	(205) 32%
5506490 · Other	0	790	850	(60) 93%
<b>Total 5506400 · Minor Capital Outlay</b>	<b>1,959</b>	<b>3,171</b>	<b>3,650</b>	<b>(479) 87%</b>
<b>5507400 · Capitalized Assets</b>				

**City of Ovilla General Fund**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over (Under)	% of Budget
	August 2018	'Oct - Aug 2018	Budget	Thru Aug
			Budget	92%
5507440 · Machinery & Equipment	0	0	5,000	(5,000) 0%
5507460 · Infrastructure	0	394,167	453,380	(59,213) 87%
<b>Total 5507400 · Capitalized Assets</b>	<b>0</b>	<b>394,167</b>	<b>458,380</b>	<b>(64,213) 86%</b>
 Total 50 · Streets	 37,241	 507,833	 640,302	 (132,469) 79%
 60 · Parks				
5602400 · Rentals				
5602490 · Rental - Other	222	2,541	3,000	(459) 85%
<b>Total 5602400 · Rentals</b>	<b>222</b>	<b>2,541</b>	<b>3,000</b>	<b>(459) 85%</b>
5602600 · Special Expenses				
5602680 · Heritage Day	1,775	7,970	15,248	(7,278) 52%
5602690 - Special Events	0	5,928	5,932	(4) 100%
<b>Total 5602600 · Special Expenses</b>	<b>1,775</b>	<b>13,898</b>	<b>21,180</b>	<b>(7,282) 66%</b>
5603400 · Maintenance Supplies & Parts				
5303410 - Supplies - Custodial	0	0	1,120	(1,120) 0%
5603460 · Miscellaneous	0	300	300	0 100%
<b>Total 5603400 · Maintenance Supplies &amp; Parts</b>	<b>0</b>	<b>300</b>	<b>1,420</b>	<b>(1,120) 21%</b>
5605400 · Utilities				
5605450 · Electricity	170	6,107	8,300	(2,193) 74%
<b>Total 5605400 · Utilities</b>	<b>170</b>	<b>6,107</b>	<b>8,300</b>	<b>(2,193) 74%</b>
5605500 · Repairs & Bldg Improvements				
5605520 · Repairs - Building	45	45	226	(181) 20%
5605530 · REPAIRS-IMP OTHER THAN BLDGS	0	1,524	1,524	(0) 100%

**City of Ovilla General Fund**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over		% of Budget
			(Under)		
	August 2018	'Oct - Aug 2018	Budget	Budget	Thru Aug
<b>Total 5605500 · Repairs &amp; Bldg Improvements</b>			1,750	(181)	90%
5605600 · Insurance					
5605610 · Insurance - Property	0	265	265	0	100%
5605620 · Insurance - Liability	0	418	418	0	100%
<b>Total 5605600 · Insurance</b>	0	683	683	0	100%
5605700 · Other Expenses					
5605765 · Miscellaneous	0	213	300	(87)	71%
<b>Total 5605700 · Other Expenses</b>	0	213	300	(87)	71%
5606400 · Minor Capital Outlay					
5606410 · Land Improvements	224	3,272	6,800	(3,528)	48%
5606440 · Machinery & Equipment	273	475	2,000	(1,525)	24%
<b>Total 5606400 · Minor Capital Outlay</b>	496	3,747	8,800	(5,053)	43%
5607400 · Capitalized Assets					
5607425 - 4B EDC Master Park Plan	0	0	6,000	(6,000)	0%
5607415 - 4B EDC Monument Signs	0	0	30,000	(30,000)	0%
5607440 · Machinery & Equipment	0	0	6,000	(6,000)	0%
<b>Total 5607400 · Capitalized Assets</b>	0	0	42,000	(42,000)	0%
<b>Total 60 · Parks</b>	2,709	29,058	87,433	(58,375)	33%
<b>Total Expenditures</b>	374,289	3,123,969	3,880,949	(756,980)	80%
<b>Net Change in Fund Balance</b>	-279,499	-109,932	0	(109,932)	100%

**Ovilla W&S Utility Fund**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over (Under)	% of Budget
	August 2018	Oct - Aug 2018	Budget	Budget
				Thru August
<b>Resources</b>				
4000400 · Charges for Services				
4000460 · Water Sales	151,245	811,659	920,296	(108,637) 88%
4000461 · Sewer Service	57,652	388,892	399,708	(10,816) 97%
4000465 · Water & Sewer Penalties	1,176	13,667	17,985	(4,318) 76%
4000471 · Reconnect Fees	370	4,220	5,400	(1,180) 78%
4000472 · Meters	0	3,012	3,700	(688) 81%
4000473 · Connect Fees	125	2,500	3,000	(500) 83%
4000478 · Infrastructure Improvement Fee	6,134	60,856	68,724	(7,868) 89%
4000480-Solid Waste Fees (Garbage)	0	0	0	0% □
<b>Total 4000400 · Charges for Services</b>	<b>216,702</b>	<b>1,284,806</b>	<b>1,418,813</b>	<b>(134,007) 91%</b>
4000800 · Other Revenue				
4000880 · Capital Rec Fee	0	23,750	37,500	(13,750) 63%
4000840 · Interest Earned	388	3,158	2,900	258 109%
4000890 · Misc Other Revenue	0	78,389	0	78,389 100%
4000911 · Decrease in Fund Balance	0	0	79,795	(79,795) 0%
<b>Total 4000800 · Other Revenue</b>	<b>388</b>	<b>105,296</b>	<b>120,195</b>	<b>(14,899) 88%</b>
<b>Total Resources</b>	<b>217,089</b>	<b>1,390,102</b>	<b>1,539,008</b>	<b>(148,906) □ 90%</b>
<b>Expense</b>				
70 · Administration				
5701100 · Salaries & Wages				
5701110 · City Administrator	0	21,750	26,250	(4,500) 83%
5701115 · City Secretary	0	13,125	14,750	(1,625) 89%
5701117 · Finance Accountant	0	10,917	13,113	(2,196) 83%
5701120 · Admin. Support	0	7,514	9,012	(1,498) 83%
5701130 · Public Works Director	4,573	54,880	57,722	(2,842) 95%
5701180 · Merit Raises, Staff	0	0	3,626	(3,626) 0%

**Ovilla W&S Utility Fund**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over (Under)	% of Budget
	August 2018	Oct - Aug 2018	Budget	Budget
				Thru August
	August 2018	Oct - Aug 2018	Budget	92%
<b>Total 5701100 · Salaries &amp; Wages</b>	4,573	108,185	124,473	(16,288) 87%
<b>5702100 · Employee Benefits</b>				
5702110 · Group Insurance	647	7,731	7,767	(36) 100%
5702135 · TMRS	457	5,470	5,879	(409) 93%
5702160 - Workers Compensation	0	896	896	(1) 100%
5702170 · Payroll Taxes	66	789	863	(74) 91%
<b>Total 5702100 · Employee Benefits</b>	1,170	14,886	15,405	(519) 97%
<b>5702200 · Special Services</b>				
5702240 · Audit	0	7,637	7,650	(13) 100%
5702250 · Accounting	0	900	900	0 100%
<b>Total 5702200 · Special Services</b>	0	8,537	8,550	(13) 100%
<b>5702300 · Contractual Services /Personnel</b>				
5702310 · Consultant Fees	0	220	3,453	(3,233) 6%
<b>Total 5702300 · Contractual Services /Personnel</b>	0	220	3,453	(3,233) 6%
<b>5703100 · General Supplies</b>				
5703110 · Office Supplies	0	394	800	(406) 49%
<b>Total 5703100 · General Supplies</b>	0	394	800	(406) 49%
<b>5703400 · Maintenance Supplies / Parts</b>				
5703410 · Supplies - Custodial	0	0	200	(200) 0%
<b>Total 5703400 · Maintenance Supplies / Parts</b>	0	0	200	(200) 0%
<b>5704200 · Travel Expenses</b>				
5704210 · Travel - Local		0	200	(200) 0%
5704220 · Professional Development	0	0	750	(750) 0%
<b>Total 5704200 · Travel Expenses</b>	0	0	950	(950) 0%

**Ovilla W&S Utility Fund**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over (Under)	% of Budget
	August 2018	Oct - Aug 2018	Budget	Budget
				Thru August
				92%
<b>5705200 · Data Processing Expenses</b>				
5705230 · Data Processing - Maintenance & Repair	100	1,599	1,671	(72) 96%
5705240 · Data Processing - Software	0	2,871	28,088	(25,217) 10%
<b>Total 5705200 · Data Processing Expenses</b>	<b>100</b>	<b>4,470</b>	<b>29,759</b>	<b>(25,289) 15%</b>
<b>5705300 · Printing Expense</b>				
5705350 · Printing - Other	151	151	250	(99) 61%
<b>Total 5705300 · Printing Expense</b>	<b>151</b>	<b>151</b>	<b>250</b>	<b>(99) 61%</b>
<b>5705400 · Utilities</b>				
5705410 · Telephone	112	1,232	1,350	(118) 91%
5705415 · Cellular Phone	113	1,243	1,360	(117) 91%
5705417 · Internet	160	1,760	1,930	(170) 91%
<b>Total 5705400 · Utilities</b>	<b>385</b>	<b>4,235</b>	<b>4,640</b>	<b>(405) 91%</b>
<b>5705700 · Other Expenses</b>				
5705705 · Postage	500	5,568	6,225	(657) 89%
5705740 · Advertising	0	0	100	(100) 0%
5705760 · Bank Service Charge	41	208	250	(43) 83%
5705765 · Miscellaneous	0	86	100	(14) 86%
<b>Total 5705700 · Other Expenses</b>	<b>541</b>	<b>5,862</b>	<b>6,675</b>	<b>(813) 88%</b>
<b>5706400 · Minor Capital Outlay</b>				
5706440 · Machinery & Equipment	0	0	1,500	(1,500) 0%
<b>Total 5706400 · Minor Capital Outlay</b>	<b>0</b>	<b>0</b>	<b>1,500</b>	<b>(1,500) 0%</b>
<b>5709000 · Reserve</b>				
5708215 · Admin. Exp. to General Fund	0	17,793	23,724	(5,931) 75%
5709002 · Capital Improv. Water/Sewer Reserve	0	0	58,700	(58,700) 0%

**Ovilla W&S Utility Fund**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

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			(Under)		
	August 2018	Oct - Aug 2018	Budget	Budget	
5709010 · Administrative Reserves	0	0	23,325	(23,325)	0%
Total 5709000 · Reserve	0	17,793	105,749	(87,956)	17%
 Total 70 · Administration	 6,920	 164,734	 302,404	 (137,670)	 54%
 75 · Water					
5751100 · Salaries & Wages					
5751133 · Superintendent	3,616	43,392	45,636	(2,244)	95%
5751170 · Salary Increase	0	0	1,370	(1,370)	0%
5751190 · Overtime	68	1,136	2,000	(864)	57%
Total 5751100 · Salaries & Wages	3,684	44,528	49,006	(4,478)	91%
 5751400 · Support Salaries					
5751405 · Support Staff	1,958	28,444	30,322	(1,878)	94%
5751415 · Maintenance Crew	4,776	62,126	84,989	(22,863)	73%
5751430 · Seasonal Crew	0	0	3,000	(3,000)	0%
5751450 · Certification Pay	92	1,108	1,200	(92)	92%
5751480 · Merit Raises	0	0	4,840	(4,840)	0%
5751490 · Overtime	78	3,376	4,000	(624)	84%
5751500 · Water - On Call	100	1,600	1,700	(100)	94%
Total 5751400 · Support Salaries	7,004	96,654	130,051	(33,397)	74%
 5752100 · Employee Benefits					
5752110 · Group Insurance	2,892	27,860	38,057	(10,197)	73%
5752135 · TMRS	987	13,448	16,544	(3,096)	81%
5752160 · Worker's Compensation	0	4,287	4,287	(1)	100%
5752170 · Payroll Taxes	199	2,121	2,427	(306)	87%
5752190 · Licenses	111	511	675	(164)	76%
Total 5752100 · Employee Benefits	4,190	48,227	61,990	(13,763)	78%

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	Current	Year to Date	\$ Over (Under)	% of Budget
	August 2018	Oct - Aug 2018	Budget	Budget
				Thru August
				92%
<b>5752300 · Contractual Services/Personnel</b>				
5752350 · Contract Labor - Company	0	890	1,350	(460) 66%
5752380 · Dispatch	0	6,826	13,650	(6,824) 50%
<b>Total 5752300 · Contractual Services/Personnel</b>	<b>0</b>	<b>7,716</b>	<b>15,000</b>	<b>(7,284) 51%</b>
<b>5752400 · Rentals</b>				
5752420 · Rental - Machinery & Equipment	0	205	250	(45) 82%
<b>Total 5752400 · Rentals</b>	<b>0</b>	<b>205</b>	<b>250</b>	<b>(45) 82%</b>
<b>5752500 · Operating Services</b>				
5752580 · Water Testing	281	2,719	5,600	(2,881) 49%
5752590 · TCEQ Fees	0	2,977	3,500	(523) 85%
<b>Total 5752500 · Operating Services</b>	<b>281</b>	<b>5,696</b>	<b>9,100</b>	<b>(3,404) 63%</b>
<b>5753100 · General Supplies</b>				
5753140 · Uniforms	0	1,996	2,400	(404) 83%
<b>Total 5753100 · General Supplies</b>	<b>0</b>	<b>1,996</b>	<b>2,400</b>	<b>(404) 83%</b>
<b>5753400 · Maintenance Supplies &amp; Parts</b>				
5753460 · Miscellaneous	0	235	300	(65) 78%
<b>Total 5753400 · Maintenance Supplies &amp; Parts</b>	<b>0</b>	<b>235</b>	<b>300</b>	<b>(65) 78%</b>
<b>5754200 · Travel Expenses</b>				
5754220 · Professional Development	0	719	750	(31) 96%
5754270 · Vehicle Expenses	644	5,283	9,300	(4,017) 57%
<b>Total 5754200 · Travel Expenses</b>	<b>644</b>	<b>6,002</b>	<b>10,050</b>	<b>(4,048) 60%</b>
<b>5755200 · Data Processing Expenses</b>				
5755240 · Data Processing - Software	0	3,700	3,700	0 100%

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	August 2018	Oct - Aug 2018	Budget	Budget
				Thru August
<b>Total 5755200 · Data Processing Expenses</b>	0	3,700	3,700	0 100%
5755300 · Printing Expenses				
5755310 · Copier Expense	0	2,102	3,000	(898) 70%
5755350 · Printing - Other	0	2,554	2,600	(46) 98%
<b>Total 5755300 · Printing Expenses</b>	0	4,656	5,600	(944) 83%
5755400 · Utilities				
5755415 · Cellular Phone	16	173	188	(15) 92%
5755450 · Electricity	1,830	19,299	27,000	(7,701) 71%
5755460 · Water, wholesale	67,413	403,910	441,905	(37,995) 91%
<b>Total 5755400 · Utilities</b>	69,259	423,382	469,093	(45,711) 90%
5755500 · Repairs & Building Improvements				
5755540 · Repairs- Machinery & Equipment	5,995	8,399	8,450	(51) 99%
5755550 · Repairs - Vehicles	476	1,776	2,000	(224) 89%
5755570 · Inventory Expense	656	10,787	13,000	(2,213) 83%
5755580 · Water Chemical Expense	558	7,414	8,500	(1,087) 87%
5755590 · Repairs - Other	575	2,913	3,000	(87) 97%
<b>Total 5755500 · Repairs &amp; Building Improvements</b>	8,261	31,288	34,950	(3,662) 90%
5755600 · Insurance				
5755610 · Insurance - Property	0	3,112	3,112	0 100%
5755620 · Insurance - Liability	0	1,268	1,268	0 100%
5755640 · Insurance - Vehicle	0	1,985	1,985	0 100%
<b>Total 5755600 · Insurance</b>	0	6,365	6,365	0 100%
5755700 · Other Expenses				
5755752 · Employment Screening	0	181	250	(69) 72%
<b>Total 5755700 · Other Expenses</b>	0	181	250	(69) 72%

**Ovilla W&S Utility Fund**  
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**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over (Under)	% of Budget
	August 2018	Oct - Aug 2018	Budget	Thru August
			Budget	92%
5756400 · Minor Capital Outlay				
5756440 · Machinery & Equipment	0	1,350	2,000	(650) 68%
5756490 · Other	20	339	500	(161) 68%
<b>Total 5756400 · Minor Capital Outlay</b>	<b>20</b>	<b>1,689</b>	<b>2,500</b>	<b>(811) 68%</b>
5757400 · Capitalized Assets				
5757440 · Machinery & Equipment	0	2,223	2,300	(77) 97%
5757470 · Infrastructure - Water	23	47,211	56,357	(9,146) 84%
<b>Total 5757400 · Capitalized Assets</b>	<b>23</b>	<b>49,434</b>	<b>58,657</b>	<b>(9,223) 84%</b>
5757900 · Long-Term Debt				
5758225 · Admin. Expense to Debt Fund	0	7,779	10,372	(2,593) 75%
<b>Total 5757900 · Long-Term Debt</b>	<b>0</b>	<b>7,779</b>	<b>10,372</b>	<b>(2,593) 75%</b>
<b>Total 75 · Water</b>	<b>93,365</b>	<b>739,732</b>	<b>869,634</b>	<b>(129,902) 85%</b>
80 · Sewer				
5801400 · Support Salaries				
5801405 · Support Staff	0	15,687	17,322	(1,635) 91%
5801415 · Maintenance Crew	2,979	35,552	37,482	(1,930) 95%
5801450 · Certification Pay	69	687	1,210	(523) 57%
5801480 · Merit Raises	0	0	2,025	(2,025) 0%
5801490 · Overtime	167	2,130	2,500	(370) 85%
5801500 · Sewer - On Call	50	650	700	(50) 93%
<b>Total 5801400 · Support Salaries</b>	<b>3,265</b>	<b>54,705</b>	<b>61,239</b>	<b>(6,534) 89%</b>
5802100 · Employee Benefits				
5802110 · Group Insurance	636	7,606	7,630	(24) 100%
5802135 · TMRS	322	3,842	4,114	(272) 93%

**Ovilla W&S Utility Fund**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over		% of Budget
			(Under)		
			Budget	Budget	
	August 2018	Oct - Aug 2018			Thru August
5802160 · Worker's Compensation-Sewer	0	896	896	(1)	100%
5802170 · Payroll Taxes	47	561	604	(43)	93%
5802190 · Licenses	0	483	603	(120)	80%
<b>Total 5802100 · Employee Benefits</b>	<b>1,005</b>	<b>13,388</b>	<b>13,847</b>	<b>(459)</b>	<b>97%</b>
5802300 · Contractual Services/Personnel					
5802350 · Contract Labor - Company	0	2,000	2,000	0	100%
<b>Total 5802300 · Contractual Services/Personnel</b>	<b>0</b>	<b>2,000</b>	<b>2,000</b>	<b>0</b>	<b>100%</b>
5802500 · Operating Services					
5802515 · Sardis Collection Expense	1,846	9,803	9,818	(15)	100%
<b>Total 5802500 · Operating Services</b>	<b>1,846</b>	<b>9,803</b>	<b>9,818</b>	<b>(15)</b>	<b>100%</b>
5803100 · General Supplies					
5803140 · Uniforms	0	599	600	(1)	100%
<b>Total 5803100 · General Supplies</b>	<b>0</b>	<b>599</b>	<b>600</b>	<b>(1)</b>	<b>100%</b>
5803400 · Maintenance Supplies & Parts					
5803460 · Miscellaneous	0	22	200	(178)	11%
<b>Total 5803400 · Maintenance Supplies &amp; Parts</b>	<b>0</b>	<b>22</b>	<b>200</b>	<b>(178)</b>	<b>11%</b>
5804200 · Travel Expenses					
5804220 · Professional Development	0	332	500	(168)	66%
5804270 · Vehicle Expense	0	1,157	1,200	(43)	96%
<b>Total 5804200 · Travel Expenses</b>	<b>0</b>	<b>1,489</b>	<b>1,700</b>	<b>(211)</b>	<b>88%</b>
5805400 · Utilities					
5805450 · Electricity	147	1,818	3,000	(1,182)	61%
5805463 · TRA Wastewater Treatment	0	176,030	253,800	(77,770)	69%
<b>Total 5805400 · Utilities</b>	<b>147</b>	<b>177,848</b>	<b>256,800</b>	<b>(78,952)</b>	<b>69%</b>

**Ovilla W&S Utility Fund**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over (Under)	% of Budget
	August 2018	Oct - Aug 2018	Budget	Budget
				Thru August
				92%
5805500 · Repairs & Bldg Improvements				
5805510 · Repairs - Land Improvements	0	0	1,000	(1,000)
5805540 · Repairs - Machinery & Equipment	5,721	9,033	10,500	(1,467)
5805570 · Inventory Expense	126	1,884	2,000	(116)
5805590 · Repairs - Other	0	113	600	(487)
<b>Total 5805500 · Repairs &amp; Bldg Improvements</b>	<b>5,847</b>	<b>11,030</b>	<b>14,100</b>	<b>(3,070)</b>
5805600 · Insurance				
5805610 · Insurance - Property	0	65	65	0
5805620 · Insurance - Liability	0	950	950	0
5805640 · Insurance - Vehicle	0	551	551	0
<b>Total 5805600 · Insurance</b>	<b>0</b>	<b>1,566</b>	<b>1,566</b>	<b>0</b>
5805700 · Other Expenses				
5805752 · Employment Screening	0	100	100	0
<b>Total 5805700 · Other Expenses</b>	<b>0</b>	<b>100</b>	<b>100</b>	<b>0</b>
5807400 · Capitalized Assets				
5807440 · Machinery & Equipment	0	0	5,000	(5,000)
<b>Total 5807400 · Capitalized Assets</b>	<b>0</b>	<b>0</b>	<b>5,000</b>	<b>(5,000)</b>
<b>Total 80 · Sewer</b>	<b>12,111</b>	<b>272,550</b>	<b>366,970</b>	<b>(94,420)</b>
<b>Total Expense</b>	<b>112,396</b>	<b>1,177,016</b>	<b>1,539,008</b>	<b>76%</b>
<b>Net Change in Fund Balance</b>	<b>104,694</b>	<b>213,086</b>	<b>0</b>	<b>213,086</b>
				<b>100%</b>

**Ovilla Debt Service**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over (Under)	% of Budget
	August 2018	Oct - Aug 2018	Budget	Thru August
			Budget	92%
<b>Revenues</b>				
4000100 · Taxes				
4000107 · Ad Valorem, Current I & S	192	551,892	548,275	3,617 101%
4000106 - Ad Valorem, Current I&S New and Imp	-	-	17,453	(17,453) 0%
4000111 · Ad Valorem, Delinquent I & S	(286)	10,061	-	10,061 100%
4000114 · Interest/Penalties - I & S	55	4,376	-	4,376 100%
<b>Total 4000100 · Taxes</b>	<b>(40)</b>	<b>566,329</b>	<b>565,728</b>	<b>601 100%</b>
4000800 · Other Revenue				
4000840 · Interest Earned	21	1,400	550	850 255%
4000930 · Admin.Rev.Rec.Fr Water & Sewer	-	7,779	10,372	(2,593) 75%
<b>Total 4000800 · Other Revenue</b>	<b>21</b>	<b>9,179</b>	<b>10,922</b>	<b>(1,743) 84%</b>
<b>Total Revenues</b>	<b>(19)</b>	<b>575,508</b>	<b>576,650</b>	<b>(1,142) 100%</b>
<b>Expenditures</b>				
5157900 · Long-Term Debt				
5157930 · Paying Agent Fees	400	400	500	(100) 80%
51579349 - 2011 Bond Issue Principle	-	390,000	390,000	0 100%
5157940 · 2011 Bond Issue Interest	-	186,150	186,150	0 100%
<b>Total 5157900 · Long-Term Debt</b>	<b>400</b>	<b>576,550</b>	<b>576,650</b>	<b>(100) 100%</b>
<b>Total Expenditures</b>	<b>400</b>	<b>576,550</b>	<b>576,650</b>	<b>(100) 100%</b>
<b>Net Change in Fund Balance</b>	<b>(419)</b>	<b>(1,042)</b>	<b>-</b>	<b>(1,042) 100%</b>

**City of Ovilla Capital Projects Fund**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over (Under)	% of Budget
	Oct -Aug 2018			Thru August
	August 2018	Budget	Budget	92%
<b>Revenues</b>				
4000800 · Other Revenue				
4000840 - Texpool	1	4	4	0
4000845 · Interest Earned - Texstar	2	19	10	9
4000850 · Interest Earned - Prosperity	86	541	467	74
4000990 - Reduction In Fund Balance	0	0	0	0
<b>Total 4000800 · Other Revenue</b>	<b>88</b>	<b>565</b>	<b>481</b>	<b>84</b>
<b>Total Revenues</b>	<b>88</b>	<b>565</b>	<b>481</b>	<b>84</b>
<b>Expense</b>				
5879000 · Reserves				
5879010 · Admin Reserves	0	0	481	(481)
<b>Total 5879000 · Reserves</b>	<b>0</b>	<b>0</b>	<b>481</b>	<b>(481)</b>
<b>Total Expense</b>	<b>0</b>	<b>0</b>	<b>481</b>	<b>(481)</b>
<b>Change in Net Position</b>	<b>88</b>	<b>565</b>	<b>0</b>	<b>565</b>
				<b>100%</b>

**Ovilla Park Impact Fund**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over		% of Budget
			(Under)		
	August 2018	'Oct -Aug 2018	Budget	Budget	Thru August
<b>Revenues</b>					
4000400 · Charges for Services					
4000460 · Park Impact	0	7,373	8,613	(1,240)	86%
<b>Total 4000400 · Charges for Services</b>	<b>0</b>	<b>7,373</b>	<b>8,613</b>	<b>(1,240)</b>	<b>86%</b>
4000800 · Other Revenue					
4000840 · Interest Earned	47	282	180	102	156%
<b>Total 4000800 · Other Revenue</b>	<b>47</b>	<b>282</b>	<b>180</b>	<b>102</b>	<b>156%</b>
<b>Total Revenues</b>	<b>47</b>	<b>7,655</b>	<b>8,793</b>	<b>(1,138)</b>	<b>87%</b>
<b>Expenditures</b>					
5606400 · Minor Capital Outlay					
5606410 · Land Improvements	0	0	500	(500)	0%
<b>Total 5606400 · Minor Capital Outlay</b>	<b>0</b>	<b>0</b>	<b>500</b>	<b>(500)</b>	<b>0%</b>
5607400 · Capitalized Assets					
5607440 · Capital Machinery & Equipment	0	1,017	1,675	(658)	61%
<b>Total 5607400 · Capitalized Assets</b>	<b>0</b>	<b>1,017</b>	<b>1,675</b>	<b>(658)</b>	<b>61%</b>
5609000 · Reserves					
5609035 · Park Impact Reserves	0	0	6,618	(6,618)	0%
<b>Total 5609000 · Reserves</b>	<b>0</b>	<b>0</b>	<b>6,618</b>	<b>(6,618)</b>	<b>0%</b>
<b>Total Expenditures</b>	<b>0</b>	<b>1,017</b>	<b>8,793</b>	<b>(7,776)</b>	<b>12%</b>
<b>Net Change in Fund Balance</b>	<b>47</b>	<b>6,637</b>	<b>0</b>	<b>6,637</b>	<b>100%</b>

**Ovilla W&S Impact Fee Fund**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over (Under)	% of Budget
	August 2018	'Oct -Aug 2018	Budget	Thru Aug
			Budget	92%
<b>Revenues</b>				
4000400 · Charges for Services				
4000476 - Water Impact Fee	0	24,563	2,107	22,456
4000477 - Sewer Impact Fee	0	21,902	54,756	(32,854)
Total 4000400 · Charges for Services	0	46,465	56,863	(10,398)
4000800 · Other Revenue				
4000840 · Interest Earned	5	335	205	130
Total 4000800 · Other Revenue	5	335	205	130
<b>Total Revenues</b>	<b>5</b>	<b>46,800</b>	<b>57,068</b>	<b>(10,268)</b>
<b>Expense</b>				
5857400 - Capitalized Assets				
5857470 - Water Lines	0	50,546	50,000	546
Total 5857400 - Capitalized Assets	0	50,546	50,000	546
5859000 · Reserves				
5859030 · Sewer Impact Fees Reserve	0	0	7,068	(7,068)
Total 5859000 · Reserves	0	0	7,068	(7,068)
<b>Total Expense</b>	<b>0</b>	<b>50,546</b>	<b>57,068</b>	<b>(6,523)</b>
<b>Change in Net Position</b>	<b>5</b>	<b>(3,745)</b>	<b>0</b>	<b>(3,745)</b>
				100%

**Ovilla 4B Economic Development Corporation**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over (Under)	% of Budget
	August 2018	'Oct -Aug 2018	Budget	Thru August
			Budget	92%
<b>Revenues</b>				
4000100 · Taxes				
4000120 · Sales tax	13,228	105,147	100,800	4,347 104%
Total 4000100 · Taxes	13,228	105,147	100,800	4,347 104%
4000800 · Other Revenue				
4000840 · Interest Income	209	2,123	1,340	783 158%
4000990 - Reduction in Fund Balance	0	0	30,000	(30,000) 0%
Total 4000800 · Other Revenue	209	2,123	31,340	(29,217) 7%
<b>Total Revenues</b>	<b>13,437</b>	<b>107,269</b>	<b>132,140</b>	<b>(24,871) 81%</b>
<b>Expenditures</b>				
8102200 · Special Services				
8102230 · Legal Fees	0	0	500	(500) 0%
8102240 · Audit	0	1,600	1,600	0 100%
Total 8102200 · Special Services	0	1,600	2,100	(500) 76%
8102300 · Consultant Services				
8102310 · Consultant Fees	0	6,000	6,000	0 100%
Total 8102300 · Consultant Services	0	6,000	6,000	0 100%
8103100 · General Supplies				
8103110 · Office Supplies	0	0	100	(100) 0%
Total 8103100 · General Supplies	0	0	100	(100) 0%
8104200 · Travel Expense				
8104210 · Travel Expense	0	0	1,000	(1,000) 0%
8104220 · Professional Development	0	1,350	2,300	(950) 59%
Total 8104200 · Travel Expense	0	1,350	3,300	(1,950) 41%

**Ovilla 4B Economic Development Corporation**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over (Under)	% of Budget
	August 2018	'Oct -Aug 2018	Budget	Thru August
			Budget	92%
8105300 - Printing				
8105320 - Printing Expense	38	38	300	(262) 13%
Total 8105300 - Printing	38	38	300	(262) 13%
8105600 - Insurance				
8105620 - Insurance - Liability	0	272	272	0 100%
Total 8105600 - Insurance	0	272	272	0 100%
8105700 - Other Expenses				
8105705 - Postage	0	0	100	(100) 0%
8105730 - Memberships	0	3,000	3,850	(850) 78%
8105740 - Advertising	0	4,203	4,800	(597) 88%
Total 8105700 - Other Expenses	0	7,203	8,750	(1,547) 82%
816400 - Minor Capital Outlay				
8107490 - Other	0	24,000	30,000	(6,000) 80%
Total 8106400 - Minor Capital Outlay	0	24,000	30,000	(6,000) 80%
8109000 - Reserves				
8109015 - Administrative Reserves	0	0	78,818	(78,818) 0%
8109215 - Admin. Expense to General Fund	0	1,875	2,500	(625) 75%
Total 8109000 - Reserves	0	1,875	81,318	(79,443) 2%
<b>Total Expenditures</b>	<b>38</b>	<b>42,338</b>	<b>132,140</b>	<b>(89,802) 32%</b>
<b>Net Change in Fund Balance</b>	<b>13,399</b>	<b>64,931</b>	<b>0</b>	<b>64,931 100%</b>

**Ovilla Municipal Development District**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over (Under)	% of Budget
	August 2018	'Oct - Aug 2018	Budget	Thru August
			Budget	92%
<b>Revenues</b>				
4000100 · Taxes				
4000120 · Sales tax	6,767	52,520	50,500	2,020 104%
Total 4000100 · Taxes	6,767	52,520	50,500	2,020 104%
4000800 · Other Revenue				
4000840 · Interest Income	92	894	600	294 149%
Total 4000800 · Other Revenue	92	894	600	294 149%
<b>Total Revenues</b>	<b>6,859</b>	<b>53,414</b>	<b>51,100</b>	<b>2,314 105%</b>
<b>Expenditures</b>				
9102200 · Special Services				
9102240 · Audit	0	1,600	1,600	0 100%
Total 9102200 · Special Services	0	1,600	1,600	0 100%
9103100 · General Supplies				
9103110 · Office Supplies	0	0	100	(100) 0%
Total 9103100 · General Supplies	0	0	100	(100) 0%
9105600 · Insurance				
9105620 · Insurance - Liability	0	272	272	0 100%
Total 9105600 · Insurance	0	272	272	0 100%
9109000 · Reserves				
9109015 · Administrative Reserves	0	0	48,628	(48,628) 0%
9109215 · Admin. Expense to General Fund	0	375	500	(125) 75%
Total 9109000 · Reserves	0	375	49,128	(48,753) 1%
<b>Total Expenditures</b>	<b>0</b>	<b>2,247</b>	<b>51,100</b>	<b>(48,853) 4%</b>
<b>Net Change in Fund Balance</b>	<b>6,859</b>	<b>51,167</b>	<b>0</b>	<b>51,167 100%</b>

**Ovilla Employee Benefit Trust**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over (Under)	% of Budget
	August 2018	'Oct - Aug 2018		
<b>Revenues</b>				
4000991 · Insurance Contributions				
4000991 Insurance Contributions	17,744	199,580	0	199,580
Total 4000991 · Insurance Contributions	17,744	199,580	0	199,580
4000800 - Other Income				
4000840 - Interest Income	1	9	0	9
				100%
<b>Total Revenues</b>	<b>17,744</b>	<b>199,589</b>	<b>0</b>	<b>199,589</b>
<b>Expenditures</b>				
5902110 · Benefit Premiums				
5902110 · Benefit Premiums	17,774	199,516	0	199,516
Total 5902110 · Insurance	17,774	199,516	0	199,516
				100%
<b>Total Expenditures</b>	<b>17,774</b>	<b>199,516</b>	<b>0</b>	<b>199,516</b>
<b>Net Change in Fund Balance</b>	<b>(29)</b>	<b>72</b>	<b>0</b>	<b>72</b>
				100%

**Ovilla Fire Department Auxiliary**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over (Under)	% of Budget
	August 2018	'Oct - Aug 2018	Budget	Thru Aug
			Budget	92%
<b>Revenues</b>				
4000800 · Other Revenue				
4000815 · Gifts	0	1,320	1,320	0 100%
4000880 · Reduction in Fund Balance	0	0	1,050	(1,050) 0%
Total 4000800 · Other Revenue	0	1,320	2,370	(1,050) 56%
 Total Revenues	0	1,320	2,370	(1,050) 56%
<b>Expenditures</b>				
5333400 · Maintenance Supplies and Parts				
5333460 · Supplies - Miscellaneous	0	0	2,370	(2,370) 0%
Total 5333400 · Maintenance Supplies and Parts	0	0	2,370	(2,370) 0%
 Total Expenditures	0	0	2,370	(2,370) 0%
 Net Change in Fund Balance	0	1,320	0	1,320 100%

**Ovilla Police Department Special Fund**  
**Actual vs Budget Review**  
**FY October 2017 through September 2018**

	Current	Year to Date	\$ Over (Under)	% of Budget	
	August 2018	'Oct-JAug18			
<b>Revenues</b>					
4000800 · Other Revenue					
4000815 · Gifts	0	100	100	0	100.0%
4000880 - Reduction in Fund Balance	0	0	116	(116)	0.0%
<b>Total 4000800 · Other Revenue</b>	<b>0</b>	<b>100</b>	<b>216</b>	<b>(116)</b>	<b>46.3%</b>
<b>Total Revenues</b>	<b>0</b>	<b>100</b>	<b>216</b>	<b>(116)</b>	<b>46.3%</b>
<b>Expenditures</b>					
5232600 · Special Expenses					
5232690 · Special Expenses - Other	0	0	215	(215)	0.0%
<b>Total 5232600 · Special Expenses</b>	<b>0</b>	<b>0</b>	<b>215</b>	<b>(215)</b>	<b>0.0%</b>
<b>Total Expenditures</b>	<b>0</b>	<b>0</b>	<b>215</b>	<b>(215)</b>	<b>0.0%</b>
<b>Net Income</b>	<b>0</b>	<b>100</b>	<b>0</b>	<b>100</b>	<b>100%</b>

## Ovilla Municipal Court Report

FY-2017- 2018	City		Total Traffic Cases Filed	Ordinance Filed	Total Revenue	Amount Kept by City	Amount sent to State	Warrants Issued	Warrants Cleared	Uncontested Disposition	Defensive Driving	Deferred Disposition	Compliance Dismissals	Trial
	Total	Traffic												
October	104	3	\$22,685.48		\$12,583.85		\$10,101.63	23	11	40	28	40	6	0
November	43	3	\$15,166.44		\$9,252.74		\$5,913.70	12	26	31	25	28	4	0
December	119	0	\$13,100.10		\$7,642.71		\$5,457.39	43	13	32	21	19	2	0
January	165	0	\$20,725.22		\$12,793.73		\$7,931.49	19	14	51	33	64	3	0
February	106	1	\$28,555.12		\$16,945.95		\$11,609.17	15	19	41	24	23	2	0
March	43	0	\$17,757.45		\$11,456.59		\$6,300.86	14	23	24	21	55	1	0
April	121	0	\$19,184.03		\$12,438.50		\$6,745.53	0	19	39	14	44	0	0
May	137	1	\$23,331.79		\$14,583.42		\$8,748.37	27	7	36	27	22	1	0
June	129	3	\$19,622.70		\$11,954.76		\$7,667.94	28	4	38	13	26	3	0
July	82	0	\$25,100.40		\$14,834.75		\$10,265.65	27	11	42	21	44	0	0
August	102	2	\$20,968.97		\$13,583.67		\$7,385.30	27	19	30	29	50	0	0
September	85	0	\$20,681.00		\$13,354.85		\$7,326.15	24	21	44	22	34	1	0
Totals	1236	13	\$246,878.70		\$151,425.52		\$95,453.18	259	187	448	278	449	23	0

### 2016-2017 FY

September	136	4	\$25,974.39	\$14,347.08	\$11,627.31	0
FY Totals	1639	25	\$266,876.63	\$155,344.42	\$111,532.21	327

Code Enforcement Report  
 105 S Cockrell Hill Rd  
 Ovilla, TX 75154  
 (972) 617-7262

To: Mayor Richard Dormier  
 Ovilla City Council  
 City Manager John Dean

Subject: **Code Enforcement Monthly Report**

Calls For Service	Sep 2018	Sep.2018 YTD	Sep.2017	
Complaint (Nuis 32 Permit 4,Parking 11)	47	379	40	
Follow up (Nuis 40 Permit 8 Park 15)	63	424	48	
Door Notice (Nui -10, Permit-5, Parking 7)	22	210	34	
Mail Notice ( Park 6 nuis 11 perm 4 jv3 )	24	133	18	
Posted Property (nuisance 10)	10	89	7	
Court -1 Junk Veh Fta 1 parkiing fta	\$0	\$1,659	\$196	
Citizen Contacts	64	482	28	
Permits Reviewed	15	125	11	
Permits Issued	11	81	9	
Inspections	24	132	1	
Nuisance Abated by City	3	4	4	
Nuisance Signs (Garage sale-15 other 18 )	33	360	40	
Board of Adjustment 1 acc bldg Approved	1	13	0	

**OVILLA ANIMAL CONTROL**  
**105 S Cockrell Hill Rd**  
**Ovilla, TX 75154**  
**(972) 617-7262**

To: Mayor Richard Dormier  
Ovilla City Council  
City Manager Mr. John Dean

**Subject: Animal Control Monthly Report**

Calls For Service	Sep.2018	Sep.2018 YTD	Sep.2017	
Complaint (Regist-23 At Large 11 Bark 1)	35	270	29	
Follow up	42	314	29	
Door Notice (Regis-18, Bark 2 at large 4)	24	197	24	
Impounded Animal (Dog 5 )	5	97	5	
Animal welfare check	16	71	3	
Impound Results (Transport 2 Ret to own 3)	5	89	4	
Impound fee collected	\$105.00	\$1,520.00	90	
Court	\$0.00	\$381.00	0	
Citizen Contacts	28	270	32	
Animal registration \$108	9	160	26	
Registration Letter Mailed	23	189	24	
Nuisance letter -1 barking 3 At large	2	24	1	
Animals released 1 armadillo 1 snake	2	14	4	
Deceased removed	18	166	15	
Oak Leaf -	0	20	2	
Traps Checked Out	6	45	2	



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To: Mayor and City Council Members  
From: John R. Dean, City Manager  
Date: 10/2/2018

Re: City Manager's Monthly Report (September)

**Flooding:**

- The Governor has declared Ellis County a disaster area.
- Staff reacted very quickly to the event and did a good job. As with any natural disaster there are things organizations learn and are better prepared for with the next similar disaster. In talking with the residents along Red Oak Creek that have been there for many years they said there has not been an event like this in at least 50 years. The witnesses said the water came up very quickly and receded very quickly. One resident said it was like someone pulled a plug and all the water went away.
- Public Damage: The bridge on Water Street was damaged. It is currently at one lane and will remain so until it is repaired. The city engineer is working on possible options to repair the bridge. We are also working with Commissioner Butler to develop a solution that will be better for the bridge and approach from the west in the future. The Shiloh Bridge did receive some damage to the embankment and crosstie retaining wall. The engineers have deemed it safe for continued traffic. There was some minor water that got into the Police Station.
- Private Damage: We have 7 residences that received some structure damaged from the flood water. Of those seven, 4 requested City assistance with debris removal. We have provided roll-offs to those properties through the current waste provider. These have been provided at the expense of the City. If there is a national declaration we could be reimbursed for a portion of this cost.

**Hidden Valley Estates:**

- TRA point of entry wastewater permit has been issued. Pre-construction meeting was held with the City, TRA, and developer on 9/6/18.
- I have asked the contractor for a price on lining the manholes on the project to the newly adopted standards. The lining will be at the City's expense as was previously discussed.
- The developer knows that he will need to have an extension on his preliminary plat for Hidden Valley Estates. He has requested an extension.
- The developer does not have a time line for moving forward with development in the planned development area.

**Personnel Policy Review:** Proposed revisions were presented at the September meeting for discussion. Will be brought back for approval.

**Street Information:**

- Ovilla Oaks: Tie in work and crack sealing scheduled but waiting on the contractor.
- Paving of Willowwood and Greenwood: Approved by City Council. To be completed in FY 2019 due to the delay of the County.

Warranty Expiration:

Bryson Manor Phase I-May 2, 2018 - Scheduled to have warranty work performed.  
Cockrell Hill Road-August 25, 2018 - Scheduled to have warranty work performed.  
Water Street-December 20, 2018  
Lariat Trail-December 20, 2018 - Scheduled to have warranty work performed.  
Silverwood and Shadow Wood - Scheduled to have warranty work performed.

Integrated Software Transition: Financials and Payroll transitioned. Working on the transition to electronic signatures and electronic time reporting.

FY 2019 Budget: Adopted at the September Council meeting.

AT&T Water Tower Space Lease: Lease was finalized and funded.

Property Purchase Contracts: Approved by City Council. Both contracts have been executed. Awaiting closing.

Solid Waste RFP: Contract with CWD was approved at the September Council meeting. Working with CWD on the transition of service provider.

Lariat Trail: Placed speed humps and speed hump signs.

Wastewater Winter Averaging: Ordinance approved we have placed the change on the website, posted on next-door, and letters will be sent to all sewer customers informing them of the change.

Projects in Progress:

City Facilities connected to sewer:

- The City engineer has been in contact with the previous engineer to gather the historical information on the plans for the sewer line designed in 2008. They are preparing an estimate of cost.

Monument Signs:

- Installation of the signs and the project is ongoing. They have been delayed by the rains.

Council Chamber Technology:

- Technology upgrades to the Chambers completed.

Fire Station Improvements:

- Completed.

Upcoming Items

- Movie in the Park – Saturday, October 6th, 6:30 pm
- City Council Meeting – Tuesday, October 9th, 2018 at 6:00 pm
- TML Annual Conference in Fort Worth – October 10-12 (Dormier, Myers, and J. Dean).

Respectfully Submitted,

John R. Dean, Jr.

City Manager



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To: Mayor and City Council Members  
From: John R. Dean, City Manager  
Date: 9/14/2018

Re: City Manager's Report (Week Ending 9/14/2018)

Conducted staff meeting with department directors.

Personnel Policy Review: Proposed revisions presented to City Council. Made revision to the sick leave donations as directed by Council.

AT&T: Received draft agreement for the tower lease. Forwarded to City Attorney for review. We have resolved the City Attorney concerns with the original documents. Finalized for council consideration at special meeting next Wednesday.

Property Purchase: Worked on property purchase contracts. Submitted for City Attorney review. Prepared and sent letters for the owners regarding the intent to purchase. Talked to both property owners. I have spoken with a Title company in Waxahachie regarding the contracts and purchase. I plan to have this on the special meeting next week, so we can move forward with these actions

Met with T-Mobile on possibility of changing our wireless services.

Paving of Willowwood and Greenwood: Talked to Commissioner Butler and these streets will not be completed this Fiscal Year.

Worked on Sign Code changes as directed by City Council.

Met with downtown business owners. The meeting was more of a get to know one another meeting than anything else. There appears to be some synergy within the group to improve downtown.

Talked to Waxahachie Daily Light regarding upcoming budget story.

Solid Waste Contract with CWD approved and executed. Met CWD regarding preparations for the change of service provider.

Talked to the city engineer regarding bridge improvements and gravity flow wastewater line project.

Researched additional Golf Cart information following the city council meeting. Received response from the City Attorney and seatbelts cannot be required on golf carts; golf carts are not motor vehicles; and the age of an allowed driver cannot be increased.

I informed Mr. Hargrove that he will need to request an extension from P&Z on the Hidden Valley preliminary plat or it will not be valid after October 2018. He has made that request.

Prepared for meetings on September 17, 2018.

Had a Heritage Day planning meeting. (Heritage Day is on Saturday 9/22/2018)

Work began on the monument signs.

Met with Ms. Koval regarding the SUP regarding the gazebo. We listened to the meeting recording concerning the structure. She is going to proceed to P&Z with her application. She has made the structure blend in with the other structures on the property much like the awnings on several buildings in the downtown area. The roofing on the gazebo is the same roofing material as is on the Pickard House Porch.

Met with Zach regarding Golden Chick signs and their support of National Night out.

I will be out of the office for the International City and County Managers Conference September 20-26, 2018. Because I am the Chairman of a Veteran's Task Force for ICMA I must be there for meetings all day Friday on veterans' issues and local government.

Respectfully Submitted,  
John R. Dean, Jr.  
City Manager