

# 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 (an 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

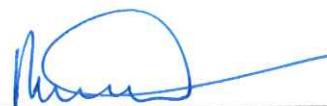
#### **ADJOURNMENT**

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:

  
Pamela Woodall, City Secretary



  
Richard Dormier, Mayor

**Approved October 09, 2018**

Executive Session sealed and filed separately.