

CITY OF OVILLA MINUTES

Thursday, October 18, 2018

Special City Council Meeting

105 S. Cockrell Hill Road, Ovilla, TX 75154

In the absence of Mayor Dormier, Mayor Pro Tem Griffin called the Special Council Meeting of the Ovilla City Council to order at 6:44 p.m., with notice of the meeting duly posted. Mayor Pro Tem Griffin made the following public announcement asking all individuals to be cognizant of the two signs at the entrance to the Council Chamber room referencing Sections 30.06 and 30.07 of the *Penal Code*, *persons licensed under Subchapter H, Chapter 411, Government Code may not enter this property with a concealed handgun nor enter this property with a handgun that is carried openly*.

The following City Council Members were present:

Rachel Huber	Council Member, Place 1
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 Pro Tem Griffin announced the absence of Mayor Dormier, and that all Council members were present, thus constituting a quorum. City Manager John R. Dean, Jr., the city secretary and various staff were also present.

CALL TO ORDER

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

COMMENTS & PRESENTATIONS/MAYOR ANNOUNCEMENTS

None

REGULAR AGENDA

ITEM 1. **DISCUSSION/ACTION** – Receive recommendation from the Planning and Zoning Commission to consider and act on PZ Case 18.10, a Specific Use Permit, and Site Plan Application to allow applicant, Texas Sterling Construction Company, as authorized by the owner of property, United Methodist Church of Ovilla, to add a temporary *lay down yard* to house construction trailers, rock, sand, fly ash, diesel and other miscellaneous materials for the construction of Ovilla Road 664. The construction site will be on the NE corner of Westmoreland Road and Ovilla Road.

Mayor Pro Tem Griffin abstained from this item, submitted his affidavit, and left his place at the dais, due to his personal connection with the Ovilla United Methodist Church. PL4 Hunt assumed the order of the meeting.

Staff shared the following information:

The contractor for the State, TX Sterling Construction Co., regarding the 664 project, submitted a request to use the Ovilla United Methodist Church property for its location to setup operations (temporarily) during the construction of this project. The proposed location is the best site for this purpose. Ovilla United Methodist Church, owner of said property, has entered into an agreement with the contractor. Mr. Justin Wild, representative for TX Sterling Construction Co., was present for questions. He advised Council that all storage of chemicals and operations were approved through TCEQ permitting. The expectation for the project would be a minimum of 18-months. The Planning and Zoning Commission forwarded recommendation for approval.

PL5 Myers moved to approve a Specific Use Permit and Site Plan Application to allow applicant, Texas Sterling Construction Company, as authorized by the owner of property, United Methodist Church of Ovilla, to add a temporary *lay down yard* to house construction trailers, rock, sand, fly ash, diesel and other miscellaneous materials for the construction of the Ovilla Road 664 project. The construction site will be on the NE corner of Westmoreland Road and Ovilla Road, seconded by PL2 Oberg. *No oppositions, Mayor Pro Tem/Place 3 Griffin abstained.*

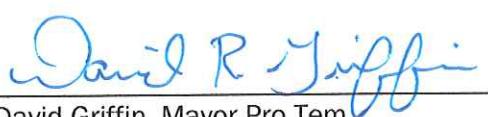
VOTE: The motion to approve carried unanimously: 4-0.

Mayor Pro Tem Griffin re-entered and assumed his place at the dais for the remainder of the meeting.

EXECUTIVE SESSION - None

ADJOURNMENT

PL4 Hunt moved to adjourn the Special meeting of October 18, 2018, seconded by PL5 Myers. There being no further business, Mayor Pro Tem Griffin adjourned the meeting at 6:50 p.m.



David Griffin, Mayor Pro Tem

ATTEST:



Pamela Woodall, City Secretary

Approved November 12, 2018

Attachments: Filed affidavit of abstention from Mayor Pro Tem Griffin
P&Z recommendation





AFFIDAVIT

STATE OF Texas)

)

COUNTY OF Ellis)

That on this 18th day of OCT. , 2018, DAVID R. GRIFFIN personally came and appeared before me at _____ o'clock AM/PM, Ovilla Municipal Building, of Ovilla, Texas, known, and known to me, who says:

Per the Local Government Code, Section 171, I am filing this affidavit stating that I shall abstain from voting and participating in the City Council matter of

AGENDA ITEM #

The nature and extent of my interest in this matter is I AM A MEMBER OF THE OVILLA UNITED METHODIST CHURCH AND ON THE COMMITTEE THAT OVERSEES THE LAND ON FM 664 THAT IS SUBJECT BEING VOTED ON.

FURTHER AFFIANT SAYETH NOT.

David R. Griffin

(Signature)

PRINTED NAME: DAVID R. GRIFFIN

PRESENTED AND FILED with the city secretary on this 18 day of OCTOBER, 2018

Donald W. Daboll

CITY CLERK/SECRETARY





City of OVILLA Planning & Zoning Commission Recommendation

ITEM I. **DISCUSSION/ACTION – PZ18.10** – To review and forward recommendation to the City Council for Consideration of and action on a Specific Use Permit and Site Plan Application to allow applicant, Texas Sterling Construction Company, as authorized by the owner, United Methodist Church of Ovilla, to add a temporary *lay down* yard to house construction trailers, rock, sand, fly ash, diesel and other miscellaneous materials for the construction of Ovilla Road 664. The construction site will be on the NE corner of Westmoreland Road and Ovilla Road.

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 AYE

6 FOR

0 AGAINST

0 ABSTAIN


Presiding Officer of P&Z

10/18/18
Date


Board Secretary

10.18.18
Date