

CITY OF OVILLA MINUTES
Monday, November 12, 2018
City Council Briefing Session
105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Dormier, called the Council Briefing Session of the Ovilla City Council to order at 6:00 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
Doug Hunt	Council Member, Place 4
Michael Myers	Council Member, Place 5

Absent: David Griffin Mayor Pro Tem, Place 3

Mayor Dormier announced that Mayor Pro Tem Griffin was absent and that all remaining Council 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 to Items 4, 5, 6 and the consent items were briefly discussed.

ADJOURNMENT

Mayor Dormier adjourned the Briefing Session of the Ovilla City Council at 6:10 p.m.

ATTEST:



Pamela Woodall, City Secretary



Richard Dormier, Mayor

Approved December 10, 2018

CITY OF OVILLA MINUTES
Monday, November 12, 2018
Regular City Council Meeting
105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Dormier called the Regular Council Meeting of the Ovilla City Council to order at 6:30 p.m., with notice of the meeting duly posted. Mayor Dormier made the following public announcement asking all individuals to be cognizant of the two signs at the entrance to the Council Chamber room referencing Sections 30.06 and 30.07 of the *Penal Code, persons licensed under Subchapter H, Chapter 411, Government Code may not enter this property with a concealed handgun nor enter this property with a handgun that is carried openly.*

The following City Council Members were present:

Rachel Huber	Council Member, Place 1
Dean Oberg	Council Member, Place 2
Doug Hunt	Council Member, Place 4
Michael Myers	Council Member, Place 5

Absent: David Griffin Mayor Pro Tem, Place 3

Mayor Dormier noted the absence of Mayor Pro Tem Griffin and that the remaining Council members were present, 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. PL1 Huber led the reciting of the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

COMMENTS & PRESENTATIONS

Citizen Comments

1. Isaul Salinas, 628 King Street, spoke of his desires to rezone 744 S. Cockrell Hill Road for future development.

Presentation:

- Mayor Dormier read a Proclamation – Veterans Day.
- Staff gave an update on the Annual Christmas Tree Lighting: Saturday, December 08, 2018 at 6:00 pm, Heritage Park.

CONSENT AGENDA

- C1. September 2018 Financial Transactions over \$5,000
- C2. Investment Report for quarter ended September 30, 2018
- C3. Committed Fund Balance Report as of September 30, 2018
- C4. Annual Interlocal Cooperation Contract between the County of Ellis and Ovilla
- C5. Minutes of the October 18, 2018 Special Council Meeting
- C6. Minutes of the October 09, 2018 Briefing Session and Regular Meeting.

PL4 Hunt requested to pull Consent Item 3 for review. Mayor Dormier pulled it for discussion and action, labeled as Item 10 on the Regular Agenda.

PL4 Hunt moved to approve the remaining consent items C1, C2, C4, C5 and C6, as presented, seconded by PL2 Oberg.

No oppositions, no abstentions. Mayor Pro Tem Griffin noted absent.

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

PUBLIC HEARING

PUBLIC HEARING – Receive public comment on the consideration of a replat request to divide 8.361 acres into two residential properties, being Lot 1, Block A (6.063 acres) and Lot 2, Block A (2.298 acres) located at 918 Slippery Elm Drive, in the extraterritorial jurisdiction of the City of Ovilla, Texas 75154. Application submitted by Matt and Rachael James, on behalf of Noma Lankford, owner of said property.

- **Staff Presentation** - Applicants, Matt and Rachael James, on behalf of MS Noma Lankford filed an application with the City and the County to replat 8.361 acres into two residential lots. MS James is the grand-daughter of MS Lankford and shared her plans to build a home on one lot. Legal notices were met with 14-letters to property owners within the vicinity. The City received one response in opposition, in writing. No other responses in favor or opposition were received.

Mayor Dormier opened the Public Hearing at 6:42 PM

- **Public Comment** – Mr. Davies, 505 Ovilla Oaks, advised he was the individual that submitted the written opposition because he didn't think he had sufficient information on the replat to decide in favor, and that he preferred to view open land from his residence.

Applicant MS James and her grandmother, MS Lankford were both present. They advised the home would be located down a private drive not visible from Mr. Davies property. MS James stated that she wished to live close to her grandmother. The home they proposed to build would be about 2700 sf. There were no further comments. Mayor Dormier closed the Public Hearing at 6:46 pm.

PH - ITEM 1. DISCUSSION/ACTION – Consideration of an action on the replat request to divide 8.361 acres into two residential properties, being Lot 1, Block A (6.063 acres) and Lot 2, Block A (2.298 acres) located at 918 Slippery Elm Drive, in the extraterritorial jurisdiction of the City of Ovilla, Texas 75154.

PL4 Hunt moved to approve the replat request submitted by Matt and Rachael James, on behalf of Noma Lankford, to divide 8.361 acres into two residential properties, being Lot 1, Block A (6.063 acres) and Lot 2, Block A (2.298 acres) located at 918 Slippery Elm Drive, in the extraterritorial jurisdiction of the City of Ovilla, Texas 75154 and direct staff to forward recommendation to Ellis County, seconded by PL1 Huber.

No oppositions, no abstentions. Mayor Pro Tem Griffin noted absent.

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

REGULAR AGENDA

ITEM 1. DISCUSSION/ACTION –Consideration of and action on volunteer board appointment(s) to serve a term on the Ovilla Park Board Advisory Committee.

Staff received applications from Dr. Angelia Knight and Matt Edwards, both willing to serve on the Park Board.

PL1 Huber moved to appoint the following to the Ovilla Park Board Advisory Committee: Angelia Knight as Place One to serve a term on the Ovilla Park Board Advisory Committee, and Matthew Edwards as Place Four to serve a term on the Ovilla Park Board Advisory Committee, seconded by PL4 Hunt.

No oppositions, no abstentions. Mayor Pro Tem Griffin noted absent.

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

- ITEM 2. DISCUSSION/ACTION** – Consideration of and action on volunteer board appointment(s) to serve a term as an alternate position on the Ovilla Zoning Board of Adjustment.

One alternate position, Place ,7 is vacant. Staff shared an application received from Mr. Mark Clark willing to serve on the Board of Adjustment.

PL2 Oberg moved to appoint Mark Clark to serve a term as Place 7 (an alternation position) on the Board of Adjustment, seconded by PL4 Hunt.

No oppositions, no abstentions. Mayor Pro Tem Griffin noted absent.

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

- ITEM 3. DISCUSSION/ACTION** – Consideration of and action to approve Circle H Contractors, L.P. to install a lining to the manholes on the new wastewater line at Westmoreland and Red Oak Creek Roads, being constructed by Circle H Contractors, L.P.

The City recently approved new design standards for wastewater lines and manholes. At that time, the need for the city to pay for the new line to comply with new standards was discussed with the Mayor. Staff received a quote from the contractor to install the line- to line the manholes. This is needed to increase the life of the line and make the line compliant with the new standards.

PL5 Myers moved to approve Circle H Contractors, LP to install a lining to the manholes on the new wastewater line as presented, seconded by PL4 Hunt.

No oppositions, no abstentions. Mayor Pro Tem Griffin noted absent.

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

- ITEM 4. DISCUSSION/ACTION** – Consideration of and action on Ordinance 2018-30 of the City of Ovilla, Texas, amending the 2018-2019 Fiscal Year Water and Sewer Fund Budget, to install lining to the manholes on the new wastewater line services along Westmoreland and Red Oak Creek Roads, for an adjustment of \$47,360, providing for publication of this Ordinance and providing an effective date.

An ordinance and contractor's proposal were presented for a budget amendment of \$47,360 for the cost of the manhole lining for the sewer line being constructed for Hidden Valley Estates.

PL4 Hunt moved that Council approve Ordinance 2018-30 of the City of Ovilla, Texas, amending the 2018-2019 Fiscal Year Water and Sewer Fund Budget, to install lining to the manholes on the new wastewater line services in association with Hidden Valley Estates, for an adjustment of \$47,360, providing for publication of this Ordinance, effective immediately, seconded by PL2 Oberg.

No oppositions, no abstentions. Mayor Pro Tem Griffin noted absent.

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

- ITEM 5. DISCUSSION/ACTION** – Consideration of and action on Ordinance 2018-31 of the City of Ovilla, Texas, repealing Ordinance 2018-26 in its entirety, and amending the Fiscal year 2018-2019 Water and Sewer Fund Budget and annual program of services 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 for an effective date.

No Action.

- ITEM 6. DISCUSSION/ACTION** – Consideration of and action on Ordinance 2018-32 of the City of Ovilla, Texas, granting to ATMOS Energy Corporation, a Texas and Virginia Corporation, its successors and assigns, a franchise to construct, maintain, and operate pipelines and equipment in the City of Ovilla, Dallas and Ellis Counties, Texas for the transportation, delivery, sale, and distribution of gas in, out of, and through said City for all purposes; providing for the payment of a fee or charge for the use of the public rights-of-ways; and providing that such fee shall be in lieu of other fees; and charges, excepting ad valorem taxes; and repealing all previous gas franchise ordinances.

Atmos sent Ovilla a revised ordinance that replaces Ordinance 2018-13 (approved August 2018) in its entirety. The City Attorney has reviewed the ordinance.

PL5 Myers moved that Council approve Ordinance 2018-32 of the City of Ovilla, Texas, granting to ATMOS Energy Corporation, a Texas and Virginia Corporation, its successors and assigns, a franchise to construct, maintain, and operate pipelines and equipment in the City of Ovilla, Dallas and Ellis Counties, Texas for the transportation, delivery, sale, and distribution of gas in, out of, and through said City for all purposes; providing for the payment of a fee or charge for the use of the public rights-of-ways; and providing that such fee shall be in lieu of other fees; and charges, excepting ad valorem taxes; and repealing all previous gas franchise ordinances, seconded by PL2 Oberg.

No oppositions, no abstentions. Mayor Pro Tem Griffin noted absent.

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

- ITEM 7. DISCUSSION/ACTION**–Consideration of and action on approval of a contract by and between the City of Ovilla and Perdue, Brandon, Fielder, Collins and Mott, LLP for the collection of delinquent utility accounts.

The City currently contracts with Perdue, Brandon, Fielder, Collins and Mott, LLP for the collection of municipal court warrants. They also have the capability to assist in the collection of delinquent utility accounts. Currently, Ovilla doesn't have a service contract for the collection of debts other than warrants. This contract will be similar to the current contract for the collection of warrant debt. It has been reviewed and approved by the City Attorney.

PL5 Myers moved that Council approve a contract by and between the City of Ovilla and Perdue, Brandon, Fielder, Collins and Mott, LLP for the collection of delinquent utility accounts as presented, seconded by PL1 Huber.

No oppositions, no abstentions. Mayor Pro Tem Griffin noted absent.

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

- ITEM 8. DISCUSSION/ACTION**–Receive recommendation from the Ovilla Park Board Advisory Committee to consider of and act on Resolution 2018-35 for the naming of an open park space located behind the municipal buildings at 105 S. Cockrell Hill Road, Ovilla, Texas, as *Founders Park*.

Park Board Advisory Chair Treadaway shared a notable presentation with Council on a concept plan for improvements to the downtown area as well as park areas and open space, that included the naming of the open space behind the municipal buildings at 105 S. Cockrell Hill Road. The Park Board met on November 05 to confirm their recommendation to the naming of the open space area to hopefully become a park area in the near future. This concept plan follows the City's Strategic Plan as well as the recently approved and adopted 2018 Parks Master Plan.

The Park Board recommended the naming of the open space to be *Founders Park*. Staff presented a resolution for Council's consideration. Mayor Dormier directed staff to revise a section of the resolution that noted 4" sidewalks to state "trails" that will connect to Heritage Park.

PL2 Oberg moved to approve Resolution R2018-35 for the naming of an open park space located behind the municipal buildings at 105 S. Cockrell Hill Road, Ovilla, Texas, as *Founders Park* and to include the revision to replace the word "sidewalks" with the word "trails", seconded by PL4 Hunt.

No oppositions, no abstentions. Mayor Pro Tem Griffin noted absent.

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

ITEM 9. DISCUSSION–Review of Cindy Jones Park compliance.

It was noted the swings were not in compliance. That would be corrected.

Discussion Only.

ITEM 10. DISCUSSION/ACTION – Consideration of any item(s) pulled from the Consent Agenda above for individual consideration and action.

Following discussion regarding capital assets and the formatting of Consent Item C3, PL4 Hunt moved to approve the Consent Item, seconded by PL2 Oberg.

No oppositions, no abstentions. Mayor Pro Tem Griffin noted absent.

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

DEPARTMENT REPORTS

- **Department Activity Reports / Discussion**
 - Police Department Chief B. Windham
 - Monthly Report – discussed and reviewed.
 - Fire Department Chief B. Kennedy
 - Monthly Report - discussed and reviewed.
 - Public Works Superintendent D. Durham
 - Monthly Report - discussed and reviewed.
 - 1. Monthly Park Maintenance Reports
 - Finance Department Accountant L. Harding
 - September 2018 Financials – Monuments will soon be complete.
 - Bank Balances through November 06, 2018
 - Administration
 - Monthly Code/Animal Control Reports Code/AC Officer M. Dooly
 - 1. 101 Oakwood: Abatement will be conducted tomorrow morning.
 - Monthly Municipal Court Report- reviewed. City Secretary P. Woodall
 - City Manager Reports- reviewed. City Manager, John R. Dean, Jr.

EXECUTIVE SESSION - None

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

- | | |
|------------------|----------------------------|
| 1. Mayor Dormier | Heritage Park-stones faded |
| 2. PL1 Huber | None |
| 3. PL2 Oberg | None |

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

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

- | | |
|-----------------|------|
| 4. PL3 Griffin | None |
| 5. PL4 Hunt | None |
| 6. PL5 Myers | None |
| 7. City Manager | None |

ADJOURNMENT

PL4 Hunt moved to adjourn the meeting of November 12, 2018, seconded by PL2 Oberg. There being no further business, Mayor Dormier adjourned the meeting at 8:07 p.m.



Richard Dormier, Mayor

ATTEST:



Pamela Woodall, City Secretary

Approved December 10, 2018

Attachments: Citizens Forum sheet



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: 4/12/18 PHONE: (469) 235-5977
DO YOU RESIDE WITHIN THE CITY LIMITS OF OVILLA? YES ☒ NO
NAME: Isaul Salinas
ORGANIZATION / DEPARTMENT: _____
ADDRESS: 028 King st.
CITY / ZIP: Cedar Hill, TX 75104

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: requesting information on re-zoning for subdivision
@ 744 S. Cockrell Hill Rd. Ovilla, TX

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 [Signature]"