

CITY OF OVILLA MINUTES

Monday, January 14, 2019
City Council Briefing Session
105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Dormier, called the Council Briefing Session of the Ovilla City Council to order at 6:02 p.m., with notice of the meeting duly posted. Mayor Dormier made the following public announcement asking all individuals to be cognizant of the two signs at the entrance to the Council Chamber room referencing Sections 30.06 and 30.07 of the *Penal Code, persons licensed under Subchapter H, Chapter 411, Government Code may not enter this property with a concealed handgun nor enter this property with a handgun that is carried openly.*

The following City Council Members were present:

| | |
|---------------|-------------------------|
| Rachel Huber | Council Member, Place 1 |
| Dean Oberg | Council Member, Place 2 |
| David Griffin | Mayor Pro Tem, Place 3 |
| Doug Hunt | Council Member, Place 4 |
| Michael Myers | Council Member, Place 5 |

Mayor Dormier announced that all 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

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. An inquiry to Item 2 was discussed and clarified.

ADJOURNMENT

Mayor Dormier adjourned the Briefing Session of the Ovilla City Council at 6:12 p.m.

ATTEST:


Pamela Woodall, City Secretary


Richard Dormier, Mayor

Approved February 11, 2019

CITY OF OVILLA MINUTES

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Regular City Council Meeting

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Mayor Dormier noted that all 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 Pro Tem Griffin 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. MS Jimmie Wade, 606 Creekview Court, gave her personal opinion regarding the City's purchase of and planned use of the Main Street property. She added that the City should focus on street paving repairs rather than spending money to refurbish the Main Street property and, specifically street repairs to Holly Lane and Dusty Oaks.

CONSENT AGENDA

- C1. Resolution R2019-01 authorizing the execution of Ellis County Elections Contract.
- C2. Minutes of the December 10, 2018 Briefing Session and Regular Meeting.

PL4 Hunt moved to approve the consent items as presented, seconded by PL5 Myers.

No oppositions, no abstentions.

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

REGULAR AGENDA

ITEM 1. DISCUSSION/ACTION – Consideration of and Action on Ordinance 2019-01 of the City Council of the City of Ovilla, Texas, authorizing a general election to be held on May 04, 2019 for the purpose of electing Mayor and two council members (Places 2 and 4) for expired terms by the qualified voters of Ovilla; establishing procedures for the election; providing for other matters incident and related to the election; providing for publication; providing a severability clause; and providing an effective date.

DISCUSIÓN/ACCIÓN – Consideración de una Acción a partir de la Ordenanza 2019-01 UNA ELECCIÓN GENERAL A LLEVARSE A CABO EL 4 DE MAYO DE 2019 CON EL OBJETIVO DE ELEGIR AL ALCALDE Y DOS MIEMBROS DEL CONCEJO (PLAZAS 2 Y 4) POR PLAZOS EXPIRADOS POR LOS VOTANTES CALIFICADOS DE OVILLA; ESTABLECIENDO PROCEDIMIENTOS PARA LA ELECCIÓN; PROPORCIONANDO OTROS ASUNTOS INCIDENTALES Y RELACIONADOS CON LA ELECCIÓN; PROPORCIONANDO PARA PUBLICACIÓN; PROPORCIONANDO UNA CLÁUSULA DE SEPARABILIDAD; Y PROPORCIONANDO UNA FECHA DE ENTRADA EN VIGENCIA.

Staff advised that State Law requires the City Council to authorize the Order of General Election. May 04, 2019 is uniform Election Day. The prepared ordinance presented calls the election and outlines procedures consistent with the TX Election Code; designating the polling place for early voting and Election Day, the method of voting, appointment of the early voting clerk and other matters incident and related to the election. This is the first year Ovilla will contract with Ellis County to assist with the voting procedures, including new machines. Additionally, Ellis County will also be on the ballot for countywide polling for all ISD and municipal entities.

PL5 Myers moved to approve Ordinance 2019-01, of the City Council of the City of Ovilla, Texas, authorizing a general election to be held on May 04, 2019 for the purpose of electing Mayor and two council members (Places 2 and 4) for expired terms by the qualified voters of Ovilla as presented, seconded by PL1 Huber.

No oppositions, no abstentions.

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

ITEM 2. DISCUSSION/ACTION – Consideration of and action on Ordinance 2019-02 of the City of Ovilla, Texas, calling for a Special Election to be held on May 4, 2019 to determine whether the voters desire the continuation to impose a sales and use tax at the rate of one quarter of one percent (1/4%) to provide revenue for the maintenance and repair of existing municipal streets; establishing procedures for the election; providing for other matters incident and related to the election; providing a severability clause: and providing an effective date

DISCUSIÓN/ACCIÓN – Consideración de una Acción a partir de la Ordenanza 2019-02 UNA ORDENANZA DEL CONCEJO MUNICIPAL DE LA CIUDAD DE OVILLA, TEXAS, PIDIENDO UNA ELECCIÓN ESPECIAL A LLEVARSE A CABO EL 4 DE MAYO DE 2019 PARA DETERMINAR SI LOS VOTANTES DESEAN CONTINUAR CON EL IMPUESTO A LAS VENTAS Y USO A UNA TASA DE UN CUARTO DEL UNO POR CIENTO (1/4%) PARA GENERAR INGRESOS PARA EL MANTENIMIENTO Y REPARACIÓN DE CALLES MUNICIPALES EXISTENTES; ESTABLECIENDO PROCEDIMIENTOS PARA LA ELECCIÓN; PROPORCIONANDO OTROS ASUNTOS INCIDENTALES Y RELACIONADOS CON LA ELECCIÓN; PROPORCIONANDO UNA CLÁUSULA DE SEPARABILIDAD; Y PROPORCIONANDO UNA

On November 06, 2007, Ovilla citizens voted to approve a Local Sales and Use Tax at the rate of one-fourth of one percent for the maintenance and repair of municipal streets, canvassed by Resolution R08-005. In compliance with Section 327 of the Tax Code, an election is required every four years to allow voters to reauthorize the sales tax. An election must be held on a uniform election date and called by ordinance. This special election has continued every four years since that time, and it is again time to hold an election before expiration.

The presented Ordinance 2019-02 calls for a Special Election to determine whether the voters desire the continuation to impose a sales and use tax at the rate of one quarter of one percent (1/4%) to provide revenue for the maintenance and repair of existing municipal streets.

Mayor Pro Tem Griffin moved that Council approve Ordinance 2019-02 of the City of Ovilla, Texas, calling for a Special Election to be held on May 4, 2019 to determine whether the voters desire the continuation to impose a Local Sales and Use Tax at the rate of one quarter of one percent (1/4%) to provide revenue for the maintenance and repair for existing municipal streets as presented, seconded by PL1 Huber.

No oppositions, no abstentions.

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

ITEM 3. DISCUSSION/ACTION – Consideration of and action on Ordinance 2019-03 of the City of Ovilla, Texas, Amending Ordinance NO. 2018-19 providing for Budget Amendment Number Three (3) in order to amend the 2019 Fiscal Year Operating Budget for the City of Ovilla; providing for the incorporation of premises; providing a savings clause; providing a cumulative repealer clause; providing for severability; providing for engrossment and enrollment; providing for publication of this ordinance and providing an effective date.

The presented ordinance was an amendment to appropriate the unanticipated revenue from the water tower lease into the Water and Sewer Fund, and to make an allocation into an expense line for the additional payment of debt service on the Water Tower debt.

PL4 Hunt moved that Council approve Ordinance 2019-03 of the City of Ovilla, Texas, amending Ordinance NO. 2018-19 providing for Budget Amendment Number Three (3) in order to amend the 2019 Fiscal Year Operating Budget for the City of Ovilla; providing for the incorporation of premises; providing a savings clause; providing a cumulative repealer clause; providing for severability; providing for engrossment and enrollment; providing for publication of this ordinance effective immediately, seconded by PL5 Myers.

No oppositions, no abstentions.

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

ITEM 4. DISCUSSION/ACTION – Consideration of and action on Ordinance 2019-04 of the City of Ovilla, Texas, repealing Appendix "A" (fee schedule), Article A2.000, Section A2.002 (copying charges for public records), of the City of Ovilla Code of Ordinances, 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 advised the necessity to revise the Ovilla Code of Ordinances fee schedule pertaining to the cost of copies provided to the public when requesting for documents through the TX Public Information Act. The Texas Attorney General's office establishes fees for copying public records, thereby negating the need for the City to have a fee ordinance for copying public records. The attached ordinance repeals any set city fees with regard to charges for public records.

PL5 Myers moved that Council approve Ordinance 2019-04 of the City of Ovilla, Texas, repealing Appendix "A" (fee schedule), Article A2.000, Section A2.002 (copying charges for public records), of the City of Ovilla Code of Ordinances as presented, effective immediately, seconded by PL4 Hunt.

No oppositions, no abstentions.

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

ITEM 5. DISCUSSION/ACTION – Consideration of and action on the annual review of the City of Ovilla Investment Policy.

The City is required under the Public Funds Investment Act (Chapter 2256 of the Texas Government Code) to adopt a formal written Investment Policy for the investment of public funds. These policies serve to satisfy the statutory requirement (specifically the Public Funds Investment Act, Chapter 2256

of the Texas Government Code [the "Act"] to define, adopt and review a formal investment strategy and policy. **Adopted by reference:** The City's public funds investment policy was adopted and made effective by Resolution R2014-010 on April 14, 2014. A true and correct copy of the said policy, as from time to time amended, shall be maintained in the office of the city secretary. The City Council shall review the policy not less than annually and amend (or update) same as necessary by resolution. (Ordinance 2014-006 adopted 4/14/14) In January 2018, the investment policy was updated and adopted by Resolution R2018-05. There were no changes in state law, therefore, no changes to the policy adopted in January 2018.

PL4 Hunt moved to approve the review of the City of Ovilla Investment Policy, seconded by Mayor Pro Tem Griffin.

No oppositions, no abstentions.

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

ITEM 6. DISCUSSION/ACTION – Receive recommendation from the Park Board to consider action on the design of a park pavilion in Founders Park.

During their December 2018 and January 2019 Board meetings, the Park Advisory Board discussed and shared designs and ideas for a pavilion to be constructed in Founders Park. Staff presented the recommended sketch from the Park Advisory Board for their idea of what they believed to be suited for Ovilla. This follows the City's Strategic Plan as well as the recently approved and adopted 2018 Parks Master Plan. A \$75,000 budget was approved for this project in the FY 2019 Budget.

The City Council varied in their opinions on whether or not the presented drawing was acceptable, based on the roof slope and size of the pavilion. Staff advised that many of their specifics and concerns would be addressed in the final drawings and construction. Staff reminded Council that the presented sketch was a concept.

PL2 Oberg moved to approve the presented design as the basic concept for a park pavilion in Founders Park and authorize the City Manager to move forward with the engineering necessary for the project, seconded by PL1 Huber. PL5 Myers voted in opposition.

No abstentions.

VOTE: The motion to approve carried: 4-1.

ITEM 7. DISCUSSION/ACTION – Consideration of and action on the work order for engineering services for the repair of the Water Street bridge.

The consensus of the Council was favorable, albeit asking for more information on the financial impact and more information from the City's engineers. Staff advised they would bring this item back to Council once additional information was acquired.

No Action.

ITEM 8. DISCUSSION – Consideration of city facilities current and future needs.

At the request of PL5 Myers, Mayor Dormier placed this item on the agenda for discussion. This is in the Strategic Guide and was to be considered in FY 2019. PL5 Myers and Council discussed the future plans/planning for Ovilla's city infrastructure, specifically city hall and the police facilities. It was agreed that all municipal offices needed expansion and updates, whether it be with new buildings or refurbishing what existed. The consensus of the Council and staff was to schedule a planning workshop to discuss the needs of the departments and financial options. March 25, 2019 was a tentative workshop date.

No Action.

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

ITEM 9. DISCUSSION – Update on Park Development Fee.

Staff reported that a Park Development Fee was adopted in November 2004. The fee established was \$334.52 per dwelling unit of new residential construction. This fee is still in place. The fee was based on the 2000 Comprehensive Land Use Plan (CLUP) and estimated park improvements of \$375,000 and the construction of 1,121 new dwelling units over the preceding ten years. The plan was to be reviewed and updated every five years. The basis of the fee can now be based on the 2016 CLUP and the 2018 Parks Master Plan.

Park Development Fees of other nearby cities:

Red Oak - \$700 PDU
 Cedar Hill - \$2,256 PDU
 Lancaster - \$1,400 PUD
 Ovilla - \$334.52 PDU

Council consensus was to allow staff to move forward with looking at the current plans and projected expenses to revise the current ordinance to reflect projected needs of Ovilla now.

No Action.

ITEM 10. DISCUSSION – Update on Strategic Plan.

Staff reported the following information:

The EDC in conjunction with the Park Advisory Board, and with direction from the City Council, approved the 2018 Strategic Plan by the adoption of Resolution R2018-22 in May 2018. This plan gave the City a good base from which to operate. Noted priorities have since been accomplished or are in the budgeted in FY2018-2019 planning stages:

1. Two Entry/Monument Signs – completed.
2. EDC funded the creation of the approved 2018 Master Parks and Recreation Plan, Resolution R2018-29.
3. Pavilion with stage and storage design recommended by the Park Advisory Board this month.
4. Purchased land in the downtown district.
5. Acquired 6.4 acres for additional park land.
6. Adopted EDC incentive programs.
7. Established Chapter 380 guidelines for business recruitment, expansion, and retention.
8. Ovilla became active members of the Best Southwest, Texas Economic Development Council, and International Economic Development Council.
9. Additional restrooms for Founders Park anticipated in the CIP in FY 2020.

No Action.

ITEM 11. DISCUSSION – Update on Strategic Guide.

Staff updated Council on the status of tasks outlined in the Strategic Guide. City Manager John Dean asked Council to consider removing the goal that addressed branding for the City. Council did not comment.

No Action.

ITEM 12. 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 / Discussion
 - Police Department Chief B. Windham
 - Monthly Report was presented.
 - Fire Department Chief B. Kennedy
 - Monthly Report was presented.
 1. The Safe Grant was on hold due to government shutdown.
 2. Fire hydrants are being painted.
 - Public Works Director B. Piland
 - Monthly Report was presented.
 1. Monthly Park Maintenance Reports were reviewed.
 - Finance Department Accountant L. Harding
 - November 2018 Financials and transactions were reviewed.
 - Bank Balances through January 10, 2019 were reviewed.
 - Administration – all reports reviewed.
 - Monthly Code/Animal Control Reports Code/AC Officer M. Dooly
 - Monthly Municipal Court Report City Secretary P. Woodall
 - City Manager Reports City Manager, John R. Dean, Jr.

EXECUTIVE SESSION - None**REQUESTS FOR FUTURE AGENDA ITEMS AND/OR ANNOUNCEMENTS BY COUNCIL AND STAFF**

| | |
|------------------|---|
| 1. Mayor Dormier | None |
| 2. PL1 Huber | Service League Spaghetti Dinner set for February 15, Grace Church |
| 3. PL2 Oberg | None |
| 4. PL3 Griffin | None |
| 5. PL4 Hunt | None |
| 6. PL5 Myers | Discuss blue fence near the downtown area. |
| 7. City Manager | None |

ADJOURNMENT

PL2 Oberg moved to adjourn the meeting of January 14, 2019, seconded by PL4 Hunt. There being no further business, Mayor Dormier adjourned the meeting at 8:43 p.m.



Richard Dormier, Mayor

ATTEST:



Pamela Woodall, City Secretary

Attachments: Citizens Forum sheet



Approved February 11, 2019

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

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

WELCOME TO THE CITY OF OVILLA CITIZENS FORUM

***The Ovilla City Council and 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: 1-14-2019

PHONE: 214 546 9532

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

NAME:

Linnie Wade

ORGANIZATION / DEPARTMENT:

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 or representative 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 each month at 6:30 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 Linnie Wade"