

City of OVILLE 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

Monday, May 13, 2019

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 **Monday, May 13, 2019** 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, ANNOUNCEMENTS

- **Presentation:** Official results of the May 04, 2019 General Election and Special Election.
 - a. Certificates of Election issued to Mayor Richard Dormier, Council Member Place 2 Dean Oberg and Council Member Place 4 Doug Hunt (all three positions unopposed).
 - b. Judge Kurth will conduct the Oaths and Statements of Office.
- **Presentation:** Recognition of Brad Piland, Director of Public Works Department
- **Presentation:** Proclamations:
 1. EMS
 2. Municipal Clerks Week
 3. Peace Officer Memorial Week
 4. Public Works Week
- **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.

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. Quarterly Investment Report
- C2. Committed Fund Balance Report ended as of March 31, 2019
- C3. Resolution R2019-06 ONCOR (deny increased distribution rates within the City)
- C4. Minutes of the April 08, 2019 Briefing Session and Regular Meeting.
- C5. Ordinance 2019-09 Amending Culverts Authorized for Streets and Driveways
- C6. Resolution R2019-07 authorizing and approving the appointment of a Municipal Court Judge for a two-year term effective immediately.
- C7. Purchase of Electronic Ticket Writers for use by the Police Department and Code Enforcement.
- C8. Consideration of and action on Ordinance 2019-10 of the City of Ovilla, amending Appendix "A" (Fee Schedule), Section A7.006 (Utility Account Setup; Connection, and Reconnection Fees) of the City of Ovilla Code of Ordinances, providing amended reconnection fees; 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.

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C9 Receive recommendation from the Economic Development Corporation for amending the Economic Development Corporation FY2018-2019 Budget in the amount \$150,000 to fund a wastewater line to Founders Park.

IV. REGULAR AGENDA

ITEM 1. ***DISCUSSION/ACTION*** – Consideration of and action on Resolution R2019-08 of the City Council of the City of Ovilla, Declaring and Canvassing the Results of the May 04, 2019 Sales and Use Tax Special Election, reauthorizing the sales and use tax in the City of Ovilla at the rate of one quarter of one-percent to continue providing revenue for the maintenance and repair of existing municipal streets.

ITEM 1. ***DISCUSIÓN/ACCIÓN*** - Consideración y acción sobre la Resolución R2019-08 del Concejo Municipal de la Ciudad de Ovilla, declaración y escrutinio de los resultados de la Elección Especial del Impuesto sobre las Ventas y Uso del 4 de mayo de 2019, reautorizando el impuesto sobre las ventas y el uso en la ciudad de Ovilla a razón de un cuarto del uno por ciento para continuar proporcionando ingresos para el mantenimiento y reparación de las calles municipales existentes.

ITEM 2. ***DISCUSSION/ACTION*** – Consideration of and action on nomination(s) and an appointment of Mayor Pro Tem.

ITEM 3. PUBLIC HEARING

PRESENTATION of request for zoning classification change filed by Mr. & Mrs. Flores, owners of said property.

- a. ***PUBLIC HEARING*** to receive comments from the public regarding the request.
- b. ***DELIBERATION*** and questions with applicant.
- c. ***RECEIVE*** recommendation from the Planning and Zoning Commission

DISCUSSION/ACTION – Consideration of and action on Case PZ19-01, a request for a **Zoning Classification Change** filed by Juan and Alicia Flores (Flores Homes, Inc) owners of said property, to change the zoning of said property from "R-C" Single Family Residential 5-acres to "R-E" Single Family Residential 1-acre, on approximately a 12-acre tract of land. Legal Description being E W Banton, Abstract 51, Ovilla, Ellis County, Texas, more commonly known as 611 Malloy Road, Ovilla Texas 75154.

ITEM 4. ***DISCUSSION/ACTION*** – Consideration of and action on Resolution R2019-09 accepting the Annual Financial Audit Report prepared by Yeldell, Wilson, Wood and Reeve, P.C., for the year ended September 30, 2018.

ITEM 5. ***DISCUSSION*** – Review and discuss current contract with Community Waste Disposal (CWD) representatives.

ITEM 6. ***DISCUSSION/ACTION*** – Receive annual report and consider and act on volunteer board reappointments to serve another term on the Board of Adjustment and direct staff to solicit for new applicants.

ITEM 7. ***DISCUSSION/ACTION*** – Receive annual report and consider and act on volunteer board appointments and/or reappointments to serve a term on the Economic Development Corporation (EDC) and direct staff to solicit for new applicants.

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ITEM 8. ***DISCUSSION/ACTION*** – Consideration of and action on volunteer committee appointment(s) to serve on the temporary board, Municipal Facilities Improvement Committee, and/or direct staff to continue solicitation for new applicants.

ITEM 9. ***DISCUSSION/ACTION*** – Receive annual report and consider and act on volunteer committee appointments and/or reappointments to serve a term on the Municipal Development District Board (MDD) and direct staff to solicit for new applicants.

ITEM 10. ***DISCUSSION/ACTION*** – Receive annual report and consider and act on volunteer committee appointments and/or reappointment(s) to serve a term on the Ovilla Park Board Advisory Committee and direct staff to solicit for new applicants.

ITEM 11. ***DISCUSSION/ACTION*** – Receive annual report and consider and act on volunteer board appointment and/or reappointments to serve a term on the Planning and Zoning Commission and direct staff to solicit for new applicants.

ITEM 12. ***DISCUSSION/ACTION*** – Consideration of and action on ORDINANCE 2019-11 of the City of Ovilla, TX, amending the Fiscal Year 2018-2019 Annual Budget and Program of Services in accordance with Chapter 1, Article 1.05, Section 1.05.038 of the Ovilla Code of Ordinances pursuant to the Mid-Year Budget Review.

ITEM 13. ***DISCUSSION/ACTION*** – Consideration of and action on Resolution R2019-10 amending the meeting schedule of the Ovilla City Council.

ITEM 14. ***DISCUSSION*** – Discussion on Section 35.3.D.1. (Fences in Residential Districts) of the Ovilla Code of Ordinances.

ITEM 15. ***DISCUSSION*** – Discussion on Resolution R2016-10 adopting the United States Consumer Product Safety Commission's publication entitled *Public Playground Safety Handbook* as the City's official reference and guideline for consideration in the City's acquisition, installation, operation, use and maintenance of playground equipment and playground surfacing.

ITEM 16. ***DISCUSSION/ACTION*** – Consideration of and action to appoint a City Council Member to serve on the Finance Committee to review and evaluate RFQ responses for audit services.

ITEM 17. ***DISCUSSION/ACTION*** – Consideration of any item(s) pulled from the Consent Agenda above for individual consideration and action.

V. *DEPARTMENT REPORTS*

- **Department Activity Reports / Discussion**
 - Police Department
 - 1. Monthly Report
 - Fire Department
 - 1. Monthly Report
 - Public Works
 - 1. Monthly Report
 - 2. Monthly Park Maintenance Reports
 - Finance Department
 - 1. March 2019 Financials and transactions
 - 2. Bank Balances through May 08, 2019
 - Administration

Chief B. Windham

Chief B. Kennedy

Director B. Piland

Accountant L. Harding

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1. Monthly Code/Animal Control Reports
2. Monthly Municipal Court Report
3. 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).

Closed session called pursuant to Section §551.072 of the Texas Government Code to deliberate the purchase, exchange, lease, or value of real property.

- A. *Convene into Executive Session.*
- B. *Reconvene into Regular (Open) Session*
- C. Consideration of and action on the purchase of real property Identified as Ellis CAD Property ID: 194181.

Closed session pursuant to Section §551.074 of the Texas Government Code to deliberate the position of Public Works Director.

- A. *Convene into Executive Session.*
- B. *Reconvene into Regular (Open) Session*
- C. Consideration of and action on the position of Public Works Director (Interim).

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 May 13, 2019 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, on the 10th day of May 2019 prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code.



Pamela Woodall
Pamela Woodall, City Secretary

DATE OF POSTING: 5-10-2019 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 CELL PHONES & OTHER ELECTRONIC EQUIPMENT WHILE THE CITY COUNCIL MEETING IS IN SESSION.



Dallas & Ellis Counties
Ovilla, TX

**MAY 04, 2019 GENERAL ELECTION
FOR MAYOR
PLACE 2 & PLACE 4 COUNCIL MEMBERS
(General Election Canceled)**

**Special Election PROPOSITION A
OFFICIAL TABULATION**

*** DENOTES WINNER or PASSED**

<u>Mayor</u>	*Richard Dormier Uncontested / Declared Elected	Early	Election Day	
<u>Place 2</u>	*Dean Oberg Uncontested / Declared Elected	Early	Election Day	
<u>Place 4</u>	*Douglas Hunt Uncontested / Declared Elected	Early	Election Day	

***PROPOSITION A:**

**THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX
IN THE CITY OF OVILLA AT THE RATE OF ONE FOURTH OF
ONE PERCENT TO CONTINUE PROVIDING REVENUE FOR
MAINTENANCE AND REPAIR OF MUNICIPAL STREETS.**

FOR: 175

AGAINST: 40

114	Early Voting Ballots Cast
107	Election Day Ballots Cast
221	Total Ballots Cast
216	Registered Voters (Dallas Co.)
2,978	Registered Voters (Ellis Co.)
3,194	Total Registered Voters
6.92%	Voter Turnout

Canvass conducted
MAY 13, 2019 6:30 PM

Pamela Woodall, City Secretary

NOTICE OF CANVASS OF ELECTION AT THE
REGULAR CITY COUNCIL MEETING
CITY OF OVILLA, TEXAS

MONDAY, MAY 13, 2019
6:30 P.M.

AVISO DE ESCRUTINIO DE ELECCIÓN EN LA
REUNIÓN REGULAR DEL CONCEJO MUNICIPAL
CIUDAD DE OVILLA, TEXAS

LUNES 13 DE MAYO DE 2019.
6:30 PM.

Notice is hereby given that the Canvass of the May 4, 2019 Special Election will be held at a Regular meeting of the Ovilla City Council, on Monday, May 13, 2019 at 6:30 p.m., at City Hall, 105 S. Cockrell Hill Road, Ovilla, Texas 75154.

Por la presente se comunica que el Escrutinio de la Elección Especial de la Ciudad del 4 de mayo de 2019 se celebrará en una reunión regular del Concejo Municipal de la Ciudad de Ovilla, el lunes 13 de mayo de 2019 a las 6:30 pm, en el Ayuntamiento, 105 S. Cockrell Hill Road, Ovilla, Texas 75154.

C E R T I F I C A T I O N

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Ovilla, Texas, a place readily accessible to the general public at all times, on the 9th day of May 2019 by 4:30 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

C E R T I F I C A C I Ó N

Por la presente certifico que el aviso anterior de la reunión se publicó en el tablero de anuncios del Ayuntamiento de la Ciudad de Ovilla, Texas, un lugar de fácil acceso para el público en general en todo momento, el día 9 de mayo de 2019 a las 4:30 pm y permaneció publicado durante al menos 72 horas continuas antes de la hora programada de dicha reunión.


Pamela Woodall
City Secretary / Secretaria Municipal

DATE OF POSTING: 5-10-2019 TIME: 10:00 am/ pm
FECHA DE PUBLICACIÓN: 5-10-2019 HORA: 10:00 am/ pm
DATE TAKEN DOWN: _____ TIME: _____ am/ pm
FECHA DE RETIRO: _____ HORA: _____ am/ pm



This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (972) 617-7262 or FAX (972) 515-3221 for further information. AGENDAS MAY ALSO BE REVIEWED ONLINE AT www.cityofovilla.org.

Esta instalación está adaptada para sillas de ruedas y hay lugares disponibles de estacionamiento. Las solicitudes de adaptaciones o servicios de interpretación deben realizarse 48 horas antes de esta reunión. No dude en comunicarse con la oficina de la Secretaría Municipal llamando al (972) 617-7262 o FAX (972) 515-3221 para obtener más información. LAS AGENDAS TAMBIÉN PUEDEN VERSE EN LÍNEA EN www.cityofovilla.org.

