

# CITY OF OVILLA MINUTES

**Monday, April 08, 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 6:00 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
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. City Manager John Dean answered any questions.

## ADJOURNMENT

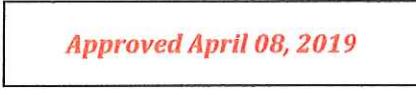
Mayor Dormier adjourned the Briefing Session of the Ovilla City Council at 6:08 p.m.

ATTEST:

  
Pamela Woodall, City Secretary



Richard Dormier, Mayor

  
*Approved April 08, 2019*

# CITY OF OVILLA MINUTES

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*Regular City Council Meeting*

***105 S. Cockrell Hill Road, Ovilla, TX 75154***

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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 noted that all 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**

PL2 Oberg gave the invocation. PL1 Huber led the reciting of the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

## **PRESENTATIONS, ANNOUNCEMENTS & COMMENTS**

**Presentation:** Service League presentation to the Police Department.

- Ovilla Service League representatives presented the Ovilla Police Department proceeds from the recent Spaghetti Dinner Fund Raiser in the amount of \$19,200.

**Presentation:** TxDOT representatives to share information on the future FM 664 project.

- Mr. Nelson Underwood, Project Manager with TxDOT shared the future plans for the FM664 Project and answered questions. Certain items addressed:
  - Completion time is unknown.
  - Noise study will be considered.
  - Exhibit Trader (business on 664) will be displaced.
  - Ovilla Auto will be damaged but not displaced.
  - Vertical Church and Ovilla Vet Clinic will not be touched.
  - Concerns for the protection of trees along Red Oak Creek Road.
  - Will coordinate with Ovilla (when time comes) on median plans.

## **Citizen Comments**

1. MS Dani Muckelroy, 608 Green Meadows Lane: Voiced appreciation to Council for their volunteer efforts and remarkable jobs in the past 4-6 years. She praised their conscientious attention to the budget.
2. MS Tamara Bryant, 713 W. Main Street: Introduced herself as a new business in Ovilla that offered branding, embroidery work and screen-printing.

## **CONSENT AGENDA**

- C1. Water Service Disconnection Agreement between the City of Ovilla and Sardis Lone Elm Water Supply.
- C2. Minutes of the March 25, 2019 Special Council Meeting
- C3. Minutes of the March 11, 2019 Briefing Session and Regular Meeting.

PL5 Myers moved to approve the consent items as presented, seconded by PL2 Oberg.  
 No oppositions, no abstentions.

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

**REGULAR AGENDA**

**ITEM 1. DISCUSSION/ACTION** – Receive recommendation from the Planning and Zoning Commission to consider and act on Case PZ19-02, a Final Plat application filed by owner, Pamilee Koval located at 121 Water Street, Ovilla, Texas 75154.

A final plat request was submitted by owner MS Pamilee Koval. Staff presented pertinent information. The property has not been platted and owner desired for two separate lots for a possible future addition of another residence, which is permissible under RC zoning. This property is located in the Core Historic District. The Planning and Zoning approved the plat application during their regular meeting on April 01, 2019 and forwarded their recommendation. P&Z Chair Carol Lynch was available for Council inquiries as was the owner, MS Koval.

OWNER NAME:	PAMILEE KOVAL
APPLICATION DATE:	03/22/2019
LOCATION:	121 Water Street
UTILITIES:	Ovilla water/Septic System
CURRENT ZONING:	CR Restricted Commercial
MAJOR THOROUGHFARE:	Cockrell Hill Road

PL2 Oberg moved move to approve Case PZ19-02, a Final Plat application filed by owner, Pamilee Koval located at 121 Water Street, Ovilla, Texas 75154,seconded by PL4 Hunt.

No oppositions, no abstentions.

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

**ITEM 2. DISCUSSION/ACTION** – Consideration of and action to authorize the City Manager to advertise for Request for Qualifications for Professional Auditing Services.

The City's current Agreement with Yeldell, Wilson & Co., P.C. is entering the final year of a five-year term that began in 2015. Meaning there is one-year left (2020) as an optional extension. The Government Finance Officers Association (GFOA) recommends the best practice of a five-year contract with the fourth and fifth year as optional one-year extensions. Ovilla has used the current firm for more than a decade. City Manager John Dean, Jr. recommended that the City not stay with one firm for more than five consecutive years. Local government statutes do not require the City to rotate auditors but does require the selection of a Professional Auditor be made through the process of Request for Qualifications (RFQ) when so desired. City Manager John Dean, Jr. recommended that the City advertise for RFQ for auditing services.

PL4 Hunt moved to approve authorizing the City Manager to move forward with the process to advertise for Request for Qualifications for Professional Auditing Services, 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 volunteer board appointment(s) to serve a term on the Planning and Zoning Commission and/or direct staff to continue solicitation for new applicants.

Place 5 position of the Planning and Zoning Commission has been vacant for months. Place 2 on the P&Z has been recently vacated with the resignation of Michael Yordy. Place 2 expires in 2020 and Place 5 expires in 2019.

EDC Director Ron Sims requested to move to serve on the P&Z Commission which would fill one vacancy. New applicant, Joseph Alexander, Jr. ,submitted his application to serve a term, with his first preference being on the Planning and Zoning Commission.

PL4 Hunt moved to approve the appointment of Ron Sims to serve the term of Place 2 on the Planning and Zoning Commission, and the appointment of Joseph Alexander, Jr. to serve the term of Place 5 on the Planning and Zoning Commission, seconded by Mayor Pro Tem Griffin.

*No oppositions, no abstentions.*

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

**ITEM 4. DISCUSSION/ACTION** – Consideration of and action on a volunteer board appointment to serve a term on the Park Board Advisory Committee and/or direct staff to continue solicitation for new applicants.

Place 2 Monna Yordy resigned last month, leaving her term (exp 2020) vacant. Mr. Lewis submitted an application in February. Council put his appointment on hold, pending this expected vacancy.

PL1 Huber moved approve the appointment of Josh Lewis to serve the term of Place 2 on the Park Board Advisory Committee, seconded by PL2 Oberg.

*No oppositions, no abstentions.*

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

**ITEM 5. DISCUSSION/ACTION** – Consideration of and action on volunteer board appointment(s) to serve on the temporary board, Municipal Facilities Improvement Committee, and/or direct staff to continue solicitation for new applicants.

Following the Special Meeting of March 25 and Council's approval and direction to create a Committee to review the facility needs of Ovilla, staff created and mailed a postcard asking for volunteers. Staff received verbal desires from residents to serve and is now accepting applications. Staff will return in May, hopefully with new applications for appointments.

*No Action.*

**ITEM 6. DISCUSSION/ACTION** – Consideration of and action on Briefing Sessions.

Mayor Dormier asked to place this on the agenda to determine the necessity of the Briefing Session. The consensus of the Council was to discontinue the Briefing Session and see how it goes.

Mayor Pro Tem Griffin moved to discontinue the Briefing Session, seconded by PL2 Oberg.

*No oppositions, no abstentions.*

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

Mayor Dormier moved the order of the agenda to address Item 8.

**ITEM 8. DISCUSSION** – Discuss concerns of Council Member Hunt regarding Ovilla Auto.

PL4 Hunt lead the discussion, voicing his concerns that the Ovilla Auto's outside appearance needed to be cleaned up. According to Code Enforcement Officer Mike Dooly, the Auto shop was compliant with Codes advising that there were just a lot of cars parked there in need of repair. Council questioned whether or not a "work order" section was missing from the Ovilla Code, which would allow the City to make 90-day inspections to the outside appearance. Council believed this "work-order" section of the Code was established in 2015. Staff was directed to research and present the Ordinance approved from that time in 2015.

*Discussion Only. No Action.*

Mayor Dormier called for a short recess at 8:25 pm.

Mayor Dormier and Council resumed the Council meeting at 8:33 pm.

Mayor Dormier returned to the regular order of the Agenda.

**ITEM 7. DISCUSSION/ACTION** – Consideration of and action to amend certain sections of Chapter 3.05 Fences, and 35.3 Fences in Residential Districts, directing staff as necessary.

Staff and Council reviewed this item during the March Council meeting and directed staff to return for more discussion and consideration for changes to the section of the Code regarding fences. This section of the Code was discussed, and the consensus was to add the proposed definition of adjacent but not prepare an Ordinance until there had been further discussion. PL2 Oberg's stance was that the City Manager should not have authority to intercede or circumvent any procedures with regard to fences and to make sure the sections of the Code refer an applicant directly to the Board of Adjustment. PL4 Hunt wanted to assure that the "smooth side out" remained on the fence regulation.

PL2 Oberg moved to direct staff to return with an Ordinance to amend Section 3.05.012 removing appeals going to Council as it was currently worded and sending appeals to the Board of Adjustment, seconded by PL4 Hunt.

Following the motion, there was further discussion and the key word "adjacent" previously discussed in the March meeting was not included in the motion or addressed. Additionally, the current motion as stated would remove any authority the City Manager would have on the case files for fences prior to going to the Board of Adjustment. Council shared mixed opinions. PL4 Hunt disagreed.

*PL4 Hunt voted in opposition. No abstentions.*

***VOTE: The motion to move forward with amending Section 3.05.012 (removing appeals going to Council as it was currently worded and sending appeals to the Board of Adjustment) passed 4-1.***

**ITEM 9. DISCUSSION** – Discuss water variance report and customer notification process.

Staff brought this item back from the March Council meeting to share with Mayor Pro Tem Griffin who was absent at the March Council meeting. Staff again shared a document that was currently used as a water variance report and advised that it was used to check for abnormalities on water accounts. However, notification to the customer if any were found on the customer's account, was already "after the fact," therefore delayed. The new system will assist in catching customer account issues earlier.

*Discussion Only. No Action.*

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

N/A

#### **DEPARTMENT REPORTS**

- Department Activity Reports / Discussion
  - Police Department

Chief B. Windham

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

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

- Monthly Report reviewed.
  - 1. Reviewed house-check procedures.
  - 2. HB 78 Legislature limits use of neighborhood cameras.
- Fire Department Chief B. Kennedy
- Monthly Report reviewed.
- Public Works Director B. Piland
- Monthly Report
  - 1. Monthly Park Maintenance Reports reviewed.
  - 2. Tracking water usage better by synchronizing billing cycles with DWU.
  - 3. Remove swings from Cindy Jones Park
- Finance Department Accountant L. Harding
  - February 2019 Financials and transactions reviewed.
  - Bank Balances through April 04, 2019 reviewed.
  - Auditors are finished in-house.
- Administration
  - Monthly Code/Animal Control Reports Code/AC Officer M. Dooley
  - Monthly Municipal Court Report City Secretary P. Woodall
  - City Manager Report City Manager John R. Dean, Jr.
    - 1. Mayor Pro Tem asked to check the cleaning of culverts.

#### EXECUTIVE SESSION

Mayor Dormier announced that Council would meet in closed session at 9:08 pm, pursuant to authorization by the TX Government Code:

**ITEM 11.** **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 and Council resumed into Regular Session at 9:16 pm. Mayor Dormier advised that no action was taken in Executive Session. There was no action or discussion in Regular Session.

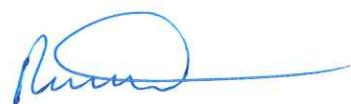
**No Action.**

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

There was none.

#### ADJOURNMENT

PL2 Oberg moved to adjourn the meeting of April 08, 2019, seconded by PL4 Hunt. There being no further business, Mayor Dormier adjourned the meeting at 9:18 p.m.



Richard Dormier, Mayor

ATTEST:

  
Pamela Woodall, City Secretary

Attachment: Citizens Forum sheets



**Approved May 13, 2019**

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

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