

# CITY OF OVILLA MINUTES

**Monday, August 12, 2019**

**Regular City Council Meeting**

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

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Mayor Dormier called the Regular Council Meeting of the Ovilla City Council to order at 6:33 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 noted the presence of all Council Members 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.

## **PRESENTATIONS, ANNOUNCEMENTS & COMMENTS**

**Presentations, Announcements:** Mayor Dormier read aloud the proclamation and certificates of recognition. Photos were taken with representatives present for the proclamation and the two teachers recognized.

**Proclamation:**

1. Constitution Week/Old Chisholm Trail Chapter, NSDAR

**Recognition(s) to Teachers Who Tutor:**

1. Jamie Sanders
2. Mrs. Yong Soon Kwon (Lee)

**Citizen Comments:**

Mr. Ron Adams, Michael Thomas, Jean Stone, Diana Phillips and many others in the audience gave praise and compliments to both teachers, MS Sanders and MS Lee, for their outstanding dedication to all students they taught and encouraged.

## **CONSENT AGENDA**

- C1. Trinity River Authority of Texas: Annual contract services
- C2. Resolution R2019-13 amending the Council Rules of Governance
- C3. Investment Report for quarter ended June 30, 2019
- C4. Committed Fund Balance Report as of June 30, 2019
- C5. Minutes of the July 08, 2019 Regular Meeting.
- C6. Minutes of the June 20, 2019 Special Meeting and Budget Workshop

PL4 Hunt asked to pull Consent C3 for discussion and consideration. Mayor Dormier placed Consent C3 as Item 10 on the agenda.

PL4 Hunt moved to approve the remaining 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 PZ19.05** – Receive recommendation from the Planning and Zoning Commission to consider and act on a Preliminary Plat Application filed by owner applicant, Eddie Salazar, to plat 15.72 acres out of the R.M. Billingsley Survey, Abstract No 116, of the City of Ovilla, Dallas County, more commonly known as 1711 S. Joe Wilson Rd., Ovilla, Dallas County, TX 75154.

Staff made the presentation:

|                            |   |
|----------------------------|---|
| <b>NAME:</b>               | <b>EDDIE SALAZAR</b>                              |
| <b>APPLICATION DATE:</b>   | <b>07/08/2019</b>                                 |
| <b>LOCATION:</b>           | <b>1711 S. Joe Wilson Rd.</b>                     |
| <b>UTILITIES:</b>          | <b>Not on City of Ovilla water/sewer (Sardis)</b> |
| <b>ZONING:</b>             | <b>Residential/ Agricultural exemption</b>        |
| <b>COUNTY:</b>             | <b>Dallas</b>                                     |
| <b>MAJOR THOROUGHFARE:</b> | <b>Joe Wilson Rd</b>                              |

Mr. Salazar purchased 15.72 acres from the Beavers Family Trust, leaving the Trust with 1.33 acres. The property had never been platted. Mr. Salazar's future plans are to build a homestead on the property. He currently has cattle on the property. All filing requirements have been met.

The Ovilla Planning and Zoning Commission met on Monday, August 05, 2019, 6:00 PM, to consider and act on the Preliminary Plat. The vote was unanimous to approve the Preliminary Plat.

Mayor Pro Tem Griffin moved to approve the preliminary plat application filed by Eddie Salazar as presented, seconded by PL4 Hunt.

*No oppositions, no abstentions.*

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

- ITEM 2.**     **DISCUSSION/ACTION PZ19.05** – Receive recommendation from the Planning and Zoning Commission to consider and act on a Final Plat Application filed by owner applicant, Eddie Salazar, to plat 15.72 acres out of the R.M. Billingsley Survey, Abstract No 116, of the City of Ovilla, Dallas County, more commonly known as 1711 S. Joe Wilson Rd., Ovilla, Dallas County, TX 75154.

Staff made the same presentation as in Item 1, for the final plat on the 15.72 acres.

PL4 Hunt moved to approve the final plat application filed by Eddie Salazar as presented, seconded by PL2 Oberg.

*No oppositions, no abstentions.*

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

- ITEM 3.**     **DISCUSSION/ACTION** – Consideration of and action on a proposed tax rate for the Fiscal Year 2019-2020 Budget and take a record vote.

**Staff shared BACKGROUND INFORMATION:**

The Texas Constitution and Property Tax Code states that a taxing unit (City) must comply with certain steps in adopting their tax rates. The Truth-in-Taxation Law was passed for two purposes. The first is to make taxpayers aware of tax rate proposals and the second is to allow taxpayers, to rollback or limit the tax increase. The Texas Comptroller of Public Accounts publishes a guide every year with all the

updated laws to make this process easier for Cities to follow. The four major principles of truth-in-taxation is that the property owners have the right to know about increases, the taxing unit must publish the effective and rollback tax rates, the taxing unit must publish a special notice and hold two public hearings if the rate exceeds the effective rate and if the rate exceeds the rollback rate - then the voters may petition for an election.

The Effective rate is the rate that is a calculated rate that would provide the taxing unit with the same amount of revenue it received in the year before on properties taxed in both years. If property values rise, the effective tax rate will go down. If property values fall, then the effective rate goes up.

The Rollback rate is the calculated rate that is the maximum rate allowed by law without voter approval. Rollback rate is the effective maintenance and operations rate X 1.08 plus the current debt rate.

The tax rate is split into two parts. The first part is the maintenance and operation rate or commonly referred to as the M&O rate. This rate is used to fund the day-to-day operations and is unrestricted revenue. This rate is set by Council.

The second part is the debt rate or commonly referred to as the I & S rate. This rate is used to fund any bonds that have been issued by the City. This rate is set by the amount of debt the City currently is paying and is calculated by the Tax Office.

**FINANCIAL IMPACT:**

The current tax rate for Ovilla is \$0.66000

1. If Council proposes the Effective Tax Rate, (0.627600) Ad Valorem Revenue will increase by \$ 73,719, as compared to prior year at \$0.66000
2. If Council proposes the Rollback Rate, (0.664315) Ad Valorem Revenue will increase by \$ 224,971, as compared to current rate of \$0.66000.
3. If Council proposes the Proposed Rate, (0.66000) Ad Valorem Revenue will increase by \$207,195, as compared to current rate of \$0.66000.

PL1 Huber moved that the Council hereby propose the 2020 Rate of (0.66000) with Maintenance and Operation rate of 0541830/100 and a debt rate of .118170/100.

Seconded by PL2 Oberg.

*No oppositions, no abstentions*

Mayor Dormer called for a record vote:

|                                 |     |                |     |
|---------------------------------|-----|----------------|-----|
| PL1 Rachel Huber                | Aye | PL2 Dean Oberg | Aye |
| PL3/Mayor Pro Tem David Griffin | Aye | PL4 Doug Hunt  | Aye |
| PL5 Mike Myers                  | Aye |                |     |

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

**ITEM 4. DISCUSSION/ACTION** – Consider and schedule dates for two public hearings on the proposed Tax Rate for Fiscal Year 2019-2020.

Staff advised that Section 26.05 of the Tax Code requires that the governing body hold two public hearings, if the entity is proposing a tax increase or proposal to increase total tax revenue. The first notice shall be titled: *NOTICE of PUBLIC HEARING on TAX INCREASE.*

PL4 Hunt moved that Council schedule the listed dates and times for two Public Hearings on the Proposed Tax Rate for Fiscal Year 2019-2020 and direct staff to follow Tax Code Laws accordingly for Notice Requirements:



The First Public Hearing will be held on 8/19/2019 at 5:30 p.m. at the Ovilla City Hall Council Chamber Room. 105 Cockrell Hill Rd, Ovilla, TX

The Second Public Hearing will be held on 8/26/2019 at 5:30 p.m. at the Ovilla City Hall Council Chamber Room. 105 Cockrell Hill Rd, Ovilla, TX.

Motion and scheduled public hearing dates were seconded by PL1 Huber.

*No oppositions, no abstentions.*

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

**ITEM 5. DISCUSSION/ACTION** – Consideration of and action on Resolution R2019-14 revising the Employee policies Handbook 2018 with regard to employee vacation leave.

With the recommendation from PL5 Myers to review the vacation leave section of the Employee Policies Handbook, staff presented the following revisions to Sections 8.1 and 8.2 as outlined in the presented Resolution.

Proposed revisions:

8.1

*All employees will be given credit for previous municipal and special utility district experience at a rate of ½ the total time of previous experience at the time of employment. Example: 5 years of previous municipal experience equals an accrual date credit of 2 years and 6 months. The establishment of a date for vacation accrual using previous service credit will not be used for any other calculation.*

8.2

*Each full-time employee is allowed three paid personal holiday days.*

*In the case of 24 hour shifts only one personal day is authorized. Personal holidays are not compensable time upon termination of employment.*

PL2 Oberg moved to approve Resolution R2019-14 amending Sections 8.1 and 8.2 of the Employee Policies Handbook 2018, with the presented revisions to be effective October 1, 2019, seconded by PL5 Myers.

*No oppositions, no abstentions.*

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

**ITEM 6. DISCUSSION/ACTION** – Receive update on Heritage Day planning and preparations and direct staff as necessary.

As the Heritage Day coordinator, PL4 Hunt shared that Police Secretary Michelle Stockton maintains summaries of the meetings, updates, rentals and all details for the Heritage Day planning. Attached shared notes were updates from the last meeting for Council review, noting about \$14,000 had been pledged to date. Booth rentals are up to date as of July 25, 2019 meeting notes. PL4 reminded all that the annual event is September 28 at 9:00am, behind the municipal building. PL2 Oberg asked the Public Works Department to treat for fire ants before the event.

**No Action.**

**ITEM 7. DISCUSSION/ACTION** – Receive and consider recommendation from the Municipal Facilities Improvement Committee with regard to a possible bond election in November 2019.

The Municipal Facilities Committee met and considered the concept the City Council developed. The only change to the concept that was made after conferring with our bond counsel was that the facility improvements for the community center and public works had to be listed separately due to new

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

4

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

legislation enacted with the last legislative session. The Bond Counsel contacted the Attorney General's office and was advised that we would need 5 propositions.

The committee's recommendation was to move forward with a bond election with 5 items as identified in the Council concept:

City Hall  
Community Center  
Police Department  
Public Works building improvements  
Park Improvements

PL4 Hunt moved to accept the Municipal Facilities Improvement Committee recommendation, seconded by PL5 Myers.

*No oppositions, no abstentions.*

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

**ITEM 8. DISCUSSION/ACTION** – Consideration of and action on Resolution R2019-15 approving and calling a bond election for November 05, 2019 and resolving other matters incident and related thereto.

Proposition A is for constructing, improving and equipping City Hall facilities. \$2,940 million\* to include burying utility lines. Proposition B (renovation and improvement of the old municipal facilities and convert into a community center) is contingent on the passage of Proposition A \$130K\*.

Proposition C is for constructing a public safety facility \$2,220 million\* to include burying utility lines. Proposition D (renovation of the old public safety facility for use and equipment for the public works facility) is contingent on the passage of Proposition C \$130\*.

Proposition E is for constructing, improving and equipping park and recreation facilities \$680k\*

\*Denotes amounts that include the cost of issuing the bonds.

PL5 Myers moved approve Resolution R2019-15 calling a bond election for November 05, 2019 and resolving other matters incident and related thereto, seconded by PL1 Huber.

*PL4 Hunt voted in opposition. No abstentions.*

***VOTE: The motion to approve carried: 4 in favor-1 opposed.***

**ITEM 9. DISCUSSION/ACTION** – Consideration of and action on an Ellis County November 05, 2019 Joint Contract for Election Services with the City of Ovilla.

PL2 Oberg moved to approve the Joint Election Contract for Election Services with the County of Ellis for an Ovilla Bond Package Election on November 05, 2019, seconded by Mayor Pro Tem Griffin.

*No oppositions, no abstentions.*

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

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

PL4 Hunt reviewed the item and moved to approve Consent Item 3, seconded by PL2 Oberg.

*No oppositions, no abstentions.*

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

#### **STAFF REPORTS**

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



- Staff Activity Reports were reviewed.
  - Police Department -shared status of Ticket Writers Chief B. Windham
    1. Monthly Report
  - Fire Department
    1. Monthly Report
  - Public Works
    1. Monthly Report
    2. Monthly Park Maintenance Reports
  - Finance
    1. June 2019 Financials and transactions
    2. Bank Balances through August 08, 2019
  - Administration
    1. Monthly Code/Animal Control Reports
    2. Monthly Municipal Court Report
    3. City Manager Report

Chief B. Kennedy - Absent

Public Works Director M. Collard

Accountant L. Harding

Code/AC Officer M. Dooly

City Secretary P. Woodall


City Manager John R. Dean

EXECUTIVE SESSION: N/AREQUESTS FOR FUTURE AGENDA ITEMS AND/OR ANNOUNCEMENTS BY COUNCIL AND STAFF


|               |                     |                       |                    |
|---------------|---------------------|-----------------------|--------------------|
| Mayor Dormier | Legislative updates | Mayor Pro Tem Griffin | review permit fees |
| PL1 Huber     | None                | PL4 Hunt              | None               |
| PL2 Oberg     | None                | PL5 Myers             | None               |

ADJOURNMENT

PL4 Hunt moved to adjourn the meeting of August 12, 2019, seconded by PL5 Myers. There being no further business, Mayor Dormier adjourned the meeting at 8:42 p.m.

  
 Richard Dormier, Mayor

ATTEST:

  
 Pamela Woodall, City Secretary  
 Citizen forum sheets attached.

Approved September 09, 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: 8-12-19

PHONE: \_\_\_\_\_

DO YOU RESIDE WITHIN THE CITY LIMITS OF OVILLA? \_\_\_\_\_ YES X NO

NAME: RON ADAMS

ORGANIZATION / DEPARTMENT: \_\_\_\_\_

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       I wish to address the Council during the Citizens Forum.

AGENDA ITEM(S) NUMBER: \_\_\_\_\_

Consent Agenda item #2

       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 X No

The City Council convenes in regular session on the second Monday of 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 [Signature]"



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.

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*The form must be complete.*

DATE: 8/12/19

PHONE: \_\_\_\_\_

DO YOU RESIDE WITHIN THE CITY LIMITS OF OVILLA? \_\_\_\_\_ YES ☒ NO

NAME: MICHAEL THOMAS

ORGANIZATION / DEPARTMENT: \_\_\_\_\_

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~~Cannot register to speak~~

NO I wish to address the Council during the Citizens Forum.

AGENDA ITEM(S) NUMBER: \_\_\_\_\_

1 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:

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\_\_\_\_\_ Yes ☒ No

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

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City Manager, John R. Dean, Jr.

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*The form must be complete.*

DATE: 8-12-19

PHONE: 214-274-2675

DO YOU RESIDE WITHIN THE CITY LIMITS OF OVILLA? \_\_\_\_\_ YES X NO

NAME:

Diana Phillips

ORGANIZATION / DEPARTMENT:

Teachers Who Tutor

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\_\_\_\_\_ I wish to address the Council during the Citizens Forum.

AGENDA ITEM(S) NUMBER: \_\_\_\_\_

X 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

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Mayor Richard Dormier  
Place One Council, Rachel Huber  
Place Two Council, Dean Oberg  
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The form must be complete.

DATE: 8/12/19

PHONE: 214-682-9260

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

NAME: Jean Stone

ORGANIZATION / DEPARTMENT: \_\_\_\_\_

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\_\_\_\_\_ 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:

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\_\_\_\_\_ Yes \_\_\_\_\_ No

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