

# CITY OF OVILLA MINUTES

**Monday, September 09, 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 Secretary, department directors and various staff were also present.

## **CALL TO ORDER**

PL5 Myers 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 proclamations.

1. Heritage Day
2. National Night Out

**Citizen Comments:** None

## **CONSENT AGENDA**

- C1. Resolution R2019-18 ONCOR Membership assessment
- C2. Resolution R2019-19 ATMOS Settlement Agreement
- C3. Resolution R2019-20 Approving and Adopting Dallas County's Voting Equipment System.
- C4. Purchase Order approval for 2019 Fire Truck Ford F250 purchase (contingent on Budget adoption)
- C5. Authorize the Mayor to execute an annual Interlocal Cooperation Agreement for Fire Protection and First Responder Services with Ellis County Emergency Services District #2.
- C6. Authorize the Mayor to execute an annual Interlocal Cooperation Agreement for Fire Protection and First Responder Services with Ellis County Emergency Services District #4.
- C7. OMNI (Failure to Appear) Interlocal Cooperation Contract renewal and update
- C8. Minutes of the August 12, 2019 Regular Council Meeting.

PL4 Hunt moved to approve the consent items as presented, seconded by PL1 Huber.

*No oppositions, no abstentions.*

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

## **PUBLIC HEARING**

- a. Presentation on the Fiscal Year 2019-2020 Budget

Mayor Dormier shared budget information with a power point presentation.

Mayor Dormier opened the public hearing at 6:50 pm.

- b. Receive public comment on the Fiscal Year 2019-2020 Budget.

- Mr. Brad Piland, 111 Oak Creek Lane, Ovilla, voiced his disagreement with the additional requested items added to the budget by staff, totaling approximately \$250K for chlorine & ammonia facilities at the water pump station. He agreed improvements were necessary, but those improvements were possible for much less than \$250K.

There was no one else to speak. Mayor Dormier closed the public hearing at 6:52 pm.

### REGULAR AGENDA

- ITEM 1. DISCUSSION/ACTION** – Consideration of and action on Ordinance 2019-18 approving and adopting the Budget and making appropriations for the support of the City Government of the City of Ovilla, Texas for the Fiscal Year beginning October 01, 2019 and ending September 30, 2020; providing an effective date.

Ordinance 2019-18 was presented for adoption of the budget for the Fiscal Year October 1, 2019 – September 30, 2020. The budget is based on the proposed tax rate of \$0.660000 per \$100 dollars of valuation, with a Maintenance and Operation rate of \$0.541830 and a debt rate of \$0.118170. This proposed tax rate would increase total taxes in Ovilla by 7.83% as proposed by record vote from Council during the August 5, 2019, Council Meeting and Budget Workshop.

**This Budget will raise more total property taxes than last year's budget by \$207,000 which is a 7.83% increase, and of that amount, \$43,372 is tax revenue to be raised from new property added to the roll this year.**

Public Works Director Mike Collard submitted a last-minute request to include in the budget and seek permission to purchase two field work trucks (\$70K) and the replacement of a chlorine and ammonia facilities at the water pump station (\$250K). There was no response from Council regarding the requests.

Mayor Pro Tem Griffin moved that the Ovilla City Council approve Ordinance 2019-18, adopting the Budget and making appropriations for the support of the City Government of the City of Ovilla for the Fiscal Year beginning October 01, 2019 and ending September 30, 2020, seconded by PL2 Oberg.

Mayor Dormier called for a record vote:

MAYOR PRO-TEM Griffin	<u>AYE</u>
PLACE 1 Huber	<u>AYE</u>
PLACE 2 Oberg	<u>AYE</u>
PLACE 4 Hunt	<u>AYE</u>
PLACE 5 Myers	<u>AYE</u>

No oppositions, no abstentions.

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

- ITEM 2. DISCUSSION/ACTION** – Consideration of and action on Ordinance 2019-19 levying, assessing and fixing the tax rate for the use and support of the municipal government of the City of Ovilla, Texas, and providing for the Debt Service Fund for Fiscal Year 2019-2020 and apportioning each levy for the specific purpose, and providing for collection of all annual taxes provided by state law; and providing an effective date.

During the August 05, 2019 Special Council Meeting and Public Hearing, Council took a record vote for the proposed tax rate for Fiscal Year 2019-2020. An ordinance to adopt and approve the rate was presented. Truth-in-Taxation Law requires that the governing body adopt the tax rate as an official action and set it out in a written ordinance or resolution. The Council's record vote on the proposed rate of \$0.660000 is an increase in ad valorem revenue for 2019-20. Therefore, two public hearings

were required and conducted on August 19th and August 26th. Legal requirements were met. Staff presented Ordinance 2019-19 for adoption.

PROPOSED TAX RATE	\$0.660000 per \$100
PRECEDING YEAR'S TAX RATE	\$0.660000 per \$100
EFFECTIVE TAX RATE	\$0.627600 per \$100
ROLLBACK RATE	\$0.664315 per \$100

M&O	\$ 0.54183 per \$100.00 of valuation
Debt Service	\$ 0.11817 per \$100.00 of valuation
<b>Total</b>	<b>\$ 0.660000 per \$100.00 of valuation</b>

#### FINANCIAL IMPACT:

*This budget will raise more total property taxes than last year's budget by 7.83 % and of that amount, \$207,000, is tax revenue to be raised from new property added to the roll this year.*

PL4 Hunt moved that the Council hereby approve the 2020 property tax rate be a total of \$0.660000 per \$100 valuation with a Maintenance and Operation rate of \$0.54183 and a debt rate of \$0.11817, and PL4 Hunt further moved that the Council hereby approve Ordinance 2019-19, levying, assessing and fixing the tax rate for the use and support of the municipal government of the City of Ovilla, Texas, and providing for the Debt Service Fund for Fiscal Year 2019-2020 and apportioning each levy for the specific purpose, and providing for collection of all annual taxes provided by state law, seconded by PL2 Oberg.

Mayor Dormier called for a record vote:

MAYOR PRO-TEM Griffin	<u>AYE</u>
PLACE 1 Huber	<u>AYE</u>
PLACE 2 Oberg	<u>AYE</u>
PLACE 4 Hunt	<u>AYE</u>
PLACE 5 Myers	<u>AYE</u>

*No oppositions, no abstentions.*

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

**ITEM 3. DISCUSSION/ACTION** – Consideration of and action on Ordinance 2019-20 of the City of Ovilla, Texas, ratifying the budget for the 2019-2020 tax year that raised more revenue from property taxes than in the previous year.

Ordinance 2019-20 endorses and validates the approval of Ordinance 2019-18, Fiscal Year 2019-2020 Budget.

PL2 Oberg moved that Council approve and adopt Ordinance 2019-20 ratifying the budget for the Fiscal Year 2019-2020 that will raise more revenue from property taxes than in the previous year, seconded by PL1 Huber.

Mayor Dormier called for a record vote:

MAYOR PRO-TEM Griffin	<u>AYE</u>
PLACE 1 Huber	<u>AYE</u>
PLACE 2 Oberg	<u>AYE</u>
PLACE 4 Hunt	<u>AYE</u>
PLACE 5 Myers	<u>AYE</u>

*No oppositions, no abstentions.*

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



- ITEM 4. DISCUSSION/ACTION PZ19.07** – Receive recommendation from the Planning and Zoning Commission to consider and act on a Preliminary Plat Application PZ19.07 filed by owner applicant, Cheryl House of the Beavers Family Trust, to plat 1.33 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 PRESENTED THE FOLLOWING:

<b>NAME:</b>	CHERYL HOUSE / BEAVERS FAMILY TRUST
<b>APPLICATION DATE:</b>	08/08/2019
<b>LOCATION:</b>	1711 S. Joe Wilson Rd.
<b>UTILITIES:</b>	Not on City of Ovilla water/sewer
<b>CURRENT ZONING:</b>	Commercial
<b>PROPOSED LAND USE:</b>	Agriculture
<b>MAJOR THOROUGHFARE:</b>	Joe Wilson Rd

The Beavers property has been in Ovilla, (Dallas County) for near 50-years. Only when the family sold 15.72 acres from the family site did they realize the property was not platted. The Planning and Zoning Commission met on September 03 and approved the preliminary plat application unanimously. Code and legal requirements have been met.

PL5 Myers moved that the Council approve the Preliminary Plat Application filed by owner/applicant Cheryl House of the Beavers Family Trust Property IN CASE PZ19.07, being 1.33 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 Road, Ovilla, Texas 75154, seconded by Mayor Pro Tem Griffin.

*No oppositions, no abstentions.*

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

- ITEM 5. DISCUSSION/ACTION PZ19.08** – Receive recommendation from the Planning and Zoning Commission to consider and act on a Final Plat Application PZ19.08 filed by owner applicant, Cheryl House of the Beavers Family Trust, to plat 1.33 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 under Item 4.

PL2 Oberg moved that the Council approve the Final Plat Application filed by owner/applicant Cheryl House of the Beavers Family Trust Property IN CASE PZ19.08, being 1.33 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 Road, Ovilla, Texas 75154, seconded by PL1 Huber.

*No oppositions, no abstentions.*

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

- ITEM 6. DISCUSSION** – Discuss progress and receive updates on activities related to 2019 Heritage Day celebration, Saturday, September 28, 2019.

Police Secretary Michelle Stockton maintains summaries of the meetings, updates, rentals and all details for the Heritage Day planning. PL4 Hunt shared those updates.

No Action.

- ITEM 7. DISCUSSION/ACTION** – Consideration of any item(s) pulled from the Consent Agenda above for individual consideration and action.

None.

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

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

**STAFF REPORTS**

Department Directors or designees presented their monthly reports and were available for comment or questions.

- **Staff Activity Reports / Discussion**
  - Police Department Chief B. Windham
    - 1. Monthly Report
  - Fire Department Chief B. Kennedy
    - 1. Monthly Report
  - Public Works Public Works Director M. Collard
    - 1. Monthly Report
    - 2. Monthly Park Maintenance Reports
  - Finance Accountant L. Harding
    - 1. July 2019 Financials and transactions
    - 2. Bank Balances through September 04, 2019
  - Administration
    - 1. Monthly Code/Animal Control Reports Code/AC Officer M. Dooly
    - 2. Monthly Municipal Court Report City Secretary P. Woodall

**EXECUTIVE SESSION**

- A. *Convene into Executive Session.* Mayor Dormier advised that Council and the city secretary would convene into Executive Session at 7:40 p.m.

Closed Meeting called pursuant to Texas Government Code §551.074 – Personnel Matters.  
 ITEM 1. **DISCUSSION/ACTION** – Deliberate the appointment, employment, evaluation, reassignment and/or duties of the City Secretary/Acting City Manager. (Annual evaluation.)

- B. *Reconvene into Regular (Open) Session.* Mayor Dormier and Council reconvened into regular Session at 8:42 p.m. No action was taken in Executive Session.

Mayor Pro Tem moved that City Secretary Pam Woodall be appointed as Interim City Manager, seconded by PL2 Oberg.

*No oppositions, no abstentions.*

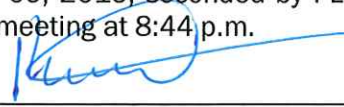
**VOTE: The motion to approve carried unanimously: 5-0.**

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

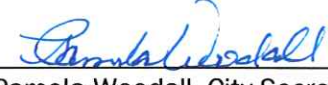
Mayor Dormier	None
Mayor Pro Tem Griffin	screening around dumpsters and trash.
PL1 Huber	None
PL2 Oberg	None
PL4 Hunt	None
PL5 Myers	None

**ADJOURNMENT**

PL1 Huber moved to adjourn the meeting of September 09, 2019, seconded by PL2 Oberg. There being no further business, Mayor Dormier adjourned the meeting at 8:44 p.m.

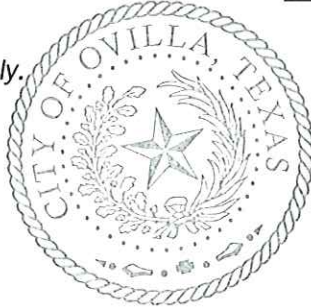
  
Richard Dormier, Mayor

ATTEST:

  
Pamela Woodall, City Secretary  
Citizen forum sheets attached.

**Approved November 11, 2019**

Executive Session filed separately.





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, Boards and City Staff welcome you to a meeting of the Ovilla City Council, or Boards. Ovilla Council/Board 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: 9-9-19 PHONE: \_\_\_\_\_  
DO YOU RESIDE WITHIN THE CITY LIMITS OF OVILLA? X YES \_\_\_\_\_ NO  
NAME: Brad Piland  
ORGANIZATION / DEPARTMENT: \_\_\_\_\_  
ADDRESS: 111 Oak Creek Ln.  
CITY / ZIP: Ovilla 75154

Persons wishing to address the Mayor, Council or Board 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 or Board Chair, those registered to speak may be called during the opening of the listed agenda item. Please check one of the three following options.

X I wish to address the Council during the Citizens Forum.

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

\_\_\_\_\_ I wish to address the Council/Board on this agenda item(s).

\_\_\_\_\_ I do not wish to address the Council/Board, 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 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 \_\_\_\_\_"