

# CITY OF OVILLA MINUTES

**Monday, April 13, 2020**

**City Council Meeting**

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

In accordance with order of the Office of the Governor issued March 16, 2020, the CITY COUNCIL of the CITY OF OVILLA conducted a meeting at 6:36 PM, Monday, April 13, 2020 by telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of the Coronavirus (COVID-19). [There was no public access to the location described above.]

The public was permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting.

Mayor Dormier called the Council Meeting of the Ovilla City Council to order at 6:36 pm, with notice of the meeting duly posted.

The following City Council Members were on teleconference call:

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 participating Council Members, thus constituting a quorum. City Secretary, department directors and various staff were also on the teleconference call.

## **CALL TO ORDER**

Mayor Pro Tem Griffin gave the invocation and PL1 Huber led the reciting of the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

## **PRESENTATIONS, ANNOUNCEMENTS & COMMENTS**

PL1 Huber served as representative of the Ovilla Service League and presented the Ovilla Fire Department with an amount of \$21,000 that was raised for the department this year. She thanked all that donated and thanked those that helped put it all together for the city.

## **Citizen Comments:**

Jimmie Wade – 606 Creekview Ct. -

- Broadmoor Estates – custom - not track homes, wants contractor name & builder
- Variances – we allow too many in this city
- Parks – subdivisions should take care of their own parks in their neighborhoods.

David Miracle – 806 Johnson Ln. – inquiring on the meetings of committees and boards that are still being held for the P&Z, BOA etc. while practicing Social Distancing

## **CONSENT AGENDA**

1. Resolution R2020-07 authorizing denial to amend ONCOR's distribution cost recovery factor to increase distribution rates within the city and authorizing the hiring of legal counsel and consulting services.
2. Minutes of the Special Emergency Council meeting held on March 20, 2020
3. Minutes of the Regular Council meeting held on March 09, 2020.
4. Minutes of the Special Council meeting held on February 24, 2020.
5. Minutes of the Regular Council meeting held on February 10, 2020.
6. Minutes of the Special Council meeting held on February 05, 2020.

PL5 Myers moved to approve the consent items as presented. PL4 Hunt seconded the motion.  
No oppositions, no abstentions.

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

**Recorded Vote:**

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

**REGULAR AGENDA**

**ITEM 1. DISCUSSION/ACTION** – Consideration of and action on a Developer's Participation Agreement by and between the City of Ovilla, Texas and WP Legacy, LTD. (Broadmoor Estates)

The Mayor opened with explanation on specific items:

- donated right-of-way by the developer saving the city having to purchase property and having to correct the property for future roadway. He explained the city will reimburse the developer the appraisal amount from Ellis County Appraisal District estimated price that is typically lower than market value.
- request to build a wood screening wall in place of a complete masonry screening wall
- rough proportionality
- HOA will be established

The Mayor then asked if there were any questions. Jeff Klement, Engineer with JBI for the Development was in attendance for questions. There was much discussion on the screening wall regarding the dimensions, it was stated it would be 6 ft tall and run the entire frontage of Westmoreland Rd – approx. 1300 ft long for the 1<sup>st</sup> phase. The fence will be made with cedar pickets, board-on-board with columns every approx. 120' and the corners of the lots. It will be built with minimal space from ground to bottom of fence of 5 inches. The Mayor then called attention to the agreement, and it not addressing Red Oak Creek Road and the screening wall to be placed, all to be added to the agreement.

There being no other questions pertaining to this Item for discussion, the Mayor asked for a motion:

PL2 Oberg moved to approve the Developer's Participation Agreement and adding to the agreement along Westmoreland Road the screening wall to be 3/4 X 5 1/2 cedar picket, board-on-board with rock pillars every 120 feet and corners of lot with 5 inch clearance, adding Red Oak Creek Road screening wall to be tubular metal, by and between the City of Ovilla, Texas and WP Legacy, LTD. Broadmoor Estates as presented, seconded PL1 Huber.

No oppositions, no abstentions.

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

**Recorded Vote:**

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE



**ITEM 2. DISCUSSION/ACTION** – Receive recommendation report from the Planning and Zoning commission to consider and act on a final plat application submitted by Clyde Hargrove for Broadmoor Estates Subdivision, Ovilla, Ellis County, Texas.

Mayor Dormier explained the final plat went to P&Z April 6, 2020 and they approved to forward recommended to Council.

PL4 Hunt moved to approve the final plat application submitted by Clyde Hargrove for Broadmoor Estates Subdivision, Ovilla, Ellis County, Texas as presented, seconded by PL2 Oberg.

*No oppositions, no abstentions.*

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

Recorded Vote:

PI1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

**ITEM 3. DISCUSSION/ACTION** – Receive recommendation from the Council Finance Committee to consider and act on Resolution R2020-08 awarding Prosperity Bank as the City's bank depository service.

Mayor Dormier explained that he and PL4 Hunt were the Council Finance Committee and they decided that it was best to continue with Prosperity Bank. Staff was asked if in agreement and it was confirmed. Mayor Dormier called for a motion if there were no further questions or discussion:

Mayor Pro Tem Griffin moved to approve the recommendation from the Council Finance Committee to approve the Resolution R2020.08 awarding Prosperity Bank as the City's bank depository service as presented, seconded by PL1 Huber.

*No oppositions, no abstentions.*

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

Recorded Vote:

PI1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

**ITEM 4. DISCUSSION/ACTION** – Consideration of and action Ordinance 2020-06 of the City of Ovilla, Texas, amending section 4.00 City Depository of Chapter 1 General Provisions, Ovilla City Code.

Staff explained that this item is in support of the ordinance change and shows that we did what was required to do so.

PL5 Myers moved to approve the Ordinance 2020-06 as presented, seconded by PL2 Oberg.

*No oppositions, no abstentions.*

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

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

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

## Recorded Vote:

PI1 Huber AYEPL2 Oberg AYEMayor Pro Tem Griffin AYEPL4 Hunt AYEPL5 Myers AYE

ITEM 5. DISCUSSION/ACTION – Consideration of any item(s) pulled from the Consent Agenda for individual consideration and action.

None

## Recorded Vote:

PI1 Huber AYEPL2 Oberg AYEMayor Pro Tem Griffin AYEPL4 Hunt AYEPL5 Myers AYEIV. STAFF REPORTS

- Department Activity Reports / Discussion

- Police Department
  1. Digi-ticket update
  2. COVID-19 update

Chief B. Windham

- Fire Department
  1. Grant timeline update
  2. Response times - goals

Chief B. Kennedy

- Public Works

1. Water/wastewater
  - a) Update Council on Main Street Sanitary Sewer Project
    1. Update on Electronic Water Meters – will be on hold for Public Works Director
2. Streets/Drainage/Parks

Water Superintendent D. Durham

Street Superintendent Johnny Cruz

- Administration

1. Financials verbal update
2. Monthly Code/Animal Control Reports
  1. inspections; BBQ ADA Compliant update, University St. update, all pending – Court postponed due to Social Distancing due to COVID-19, 101 Notices out waiting on the abatement.
3. Monthly Municipal Court Report
4. Misc. updates

Finance Director Sharon Jungman

Code/AC Officer M. Dooly

City Secretary G. Miller

City Manager, Pam Woodall

V. EXECUTIVE SESSION

None

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

Mayor Pro Tem Griffin: Estimate on Search Firm/Public Works Director

VIII. ADJOURNMENT

PL1 Huber moved to adjourn the meeting of April 13, 2020 seconded by PL4 Hunt. There being no further business, Mayor Dormier adjourned the meeting at 8:10 p.m.

## Recorded Vote:

PL1 Huber AYEPL2 Oberg AYEMayor Pro Tem Griffin AYEPL4 Hunt AYEPL5 Myers AYE

Richard Dormier, Mayor

ATTEST:



Glennell Miller, City Secretary

**Approved May 11, 2020**