

CITY OF OVILLA MINUTES
Tuesday October 13, 2020
Regular 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 6:30 PM, Tuesday October 13, 2020 in person as well as 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).

The public was permitted to offer public comments telephonically or in person 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 6:30 PM, with notice of the meeting duly posted.

The following City Council Members were present or 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 present and on the teleconference call.

CALL TO ORDER

PL3 Griffin gave the invocation and PL5 Myers led the reciting of the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

ANNOUNCEMENTS, PROCLAMATIONS, PRESENTATIONS, COMMENTS

Proclamation – National American Indian Heritage Month – November

Proclamation - Fire Prevention Month - October

CITIZEN COMMENTS:

1. Penny Story – 106 S. Summit Red Oak – Incumbent Candidate for Red Oak School Board

CONSENT AGENDA

1. ESD #2 – Interlocal Services Agreement FY 2020-2021.
2. ESD #4 – Interlocal Services Agreement FY 2020-2021.
3. Resolution No. R2020-18 – Amended ORG Chart
4. Minutes Regular City Council Meeting 2020.09.14
5. Minutes Regular City Council Meeting 2020.09.04
6. Minutes Special City Council Meeting 2020.08.31
7. FY 2020-2021 Revised Calendar & Holidays
8. Reserve Officer Recommendation – A. Flores

PL4 Hunt made the motion to pull consent items C1 & C2 off the Consent Agenda to discuss.
Seconded by PL1 Huber.

PL4 Hunt made the motion to approve the consent items C3- C8.
Seconded by PL5 Myers.

No opposition/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 – Eagle Scout Tyler Homouth update Council on his proposed plans for his Eagle Scout project.

Tyler shared the start time for getting poles and flags set up to be on Wednesday October 14 @ 6:00 PM, as well as Saturday October 17 @ 2:00PM. Shared the plaque, and the Honor & Sacrifice Flag with Council members to view.

No Action – Update only.

ITEM 2. DISCUSSION/ACTION – Consideration of and action on Resolution No. R2020-16 accepting the Annual Financial Audit Report prepared by Yeldell, Wilson, Wood and Reeve, P.C. for the year ended September 30, 2019.

Brian Thomas, representative for Yeldell, Wilson, Wood and Reeve, P.C. was present to share the highlights of the Annual Audit ending on September 30, 2019. Mr. Thomas explained that delays for the completion and presentation of the audit were due to changes in staff and new software. It was noticed that the unassigned fund balance was slightly under the required 25%. Other inquiries were made by Council regarding water loss calculations, and how much was needed to acquire the 25% unassigned fund balance. Mr. Thomas advised he did not have that information immediately, but would provide it to staff later.

PL4 Hunt made the motion to accept the Annual Financial Audit Report as presented. Seconded by PL2 Oberg.

Recorded Vote:

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

No opposition/abstentions.

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

ITEM 3. DISCUSSION/ACTION – Consideration of and action on Ordinance 2020-12 of the City of Ovilla, Texas amending Chapter 1, Section 1.02.002 of the Code of Ordinances to declaring an official city newspaper and declaring an effective date.

The Ellis County Press owner, Mr. Charlie Hatfield was present. He explained to council that his company puts out two thousand papers a week. There was discussion on meeting all the legal

deadlines, as the city had had issue with the paper in the past and was concerned. He was certain that would not happen again.

PL4 Hunt made the motion to appoint Ellis County Press as the official newspaper as presented. Seconded by PL2 Oberg.

Recorded Vote:

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

No opposition/abstentions.

VOTE: The motion carried unanimously: 5-0

ITEM 4. **DISCUSSION/ACTION** – Receive recommendation from the Planning and Zoning Commission to consider and act on an amended final plat for Broadmoor Subdivision.

PL3 Griffin made the motion to approve the amended final plat for Broadmoor Subdivision as presented. PL2 Oberg seconded the motion.

Recorded Vote:

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

No opposition/abstentions.

VOTE: The motion carried unanimously: 5-0

ITEM 5. **DISCUSSION/ACTION** – Receive recommendation from the Planning and Zoning Commission to consider and act on an amended final plat for Bryson Manor III.

PL2 Oberg made the motion to approve the amended final plat for Bryson Manor III as presented. PL1 Huber seconded the motion.

Recorded Vote:

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

No opposition/abstentions.

VOTE: The motion carried unanimously: 5-0

ITEM 6. **DISCUSSION/ACTION** – Receive recommendation from the Thoroughfare Plan Review Committee for a revision to the Thoroughfare plan, directing staff to move forward with required procedures according to the Local Government Code Chapter 213.

PL4 Hunt who leads the Committee summed up the discussion, and the determination was to move forward with the procedures as presented.

PL4 Hunt made the motion to move forward with the required procedures as presented.
PL5 Myers seconded.

Recorded Vote:

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

No opposition/abstentions.

VOTE: The motion carried unanimously: 5-0

ITEM 7. **DISCUSSION/ACTION** – Consideration of and action on a Landscaping Beautification Agreement by and between the City of Ovilla and Ashburne Glen Homeowners Association.

Mayor Dormier and PL5 Myers recused themselves from discussion being residents of the subdivision.

PL4 Hunt made the motion to approve the agreement as presented.
PL2 Oberg seconded.

Recorded Vote:

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers RECUSSED

No opposition/abstentions

VOTE: The motion carried unanimously: 4-0

ITEM 8. **DISCUSSION/ACTION** – Consideration of and action on Ordinance 2020-13 of the City Council of the City of Ovilla, TX amending Chapter 13 “Utilities” of the Ovilla Code of Ordinances by adding a new Article 13.096 “Manage of Fat, Oil and Grease” effective immediately.

Code enforcement officer Mike Dooly explained that this update is for restaurants.

PL3 Griffin made the motion to approve the Ordinance 2020-13 amending Chapter 13 as presented.
PL5 Myers seconded.

Recorded Vote:

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

No opposition/abstentions.

VOTE: The motion carried unanimously: 5-0

ITEM 9. **DISCUSSION/ACTION** – Receive recommendation from the Park Board Advisory Committee to consider and act on Resolution No. R2020-19 updating Founders Park walking trails.

PL3 Griffin made the motion to approve the Resolution No. R2020-19 as presented.
PL1 Huber seconded.

Recorded Vote:

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

No opposition/abstentions.

VOTE: The motion carried unanimously: 5-0

ITEM 10. **DISCUSSION/ACTION** – Receive recommendation from the Park Board Advisory Committee to consider and act on Resolution No. R2020-20, an Athletic Field Use and Maintenance Agreement by and between the City of Ovilla and the Ovilla Baseball Fields Association, Inc.

PL4 Hunt made the motion to approve the Maintenance Agreement with the Ovilla Baseball Fields Association, Inc. with added clause only qualified city staff will be responsible for any pesticide treatment.

PL1 Huber seconded.

Recorded Vote:

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

No opposition/abstentions.

VOTE: The motion carried unanimously: 5-0

ITEM 11. **DISCUSSION/ACTION** – Receive recommendation from the Ovilla Park Board Advisory Committee to consider and act on the Annual Christmas Tree Lighting event for 2020.

Topics of discussion:

- Desire to host a Tree Lighting
- Time/Date for Tree lighting
- Mike Dooly will be Santa
- Walk by Santa – Drive through
- Mail out for event 3rd week of November (PL3 Griffin will write article on Newsletter)
- Signs out for subdivisions
- Will people attend due to COVID pandemic

PL3 Griffin made the motion to hold the annual Christmas Tree Lighting on December 5th @ 6:00 PM.
PL5 Myers seconded.

Recorded Vote:

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

No opposition/abstentions.

VOTE: The motion carried unanimously: 5-0

ITEM 12. DISCUSSION – Discuss and review staff's plan for the reopening of the city facilities.

No Action – bring back in November 2020.

ITEM 13. DISCUSSION/ACTION – Consideration of and action on Ordinance 2020-14 of the City of Ovilla, Texas, amending sheets 15 and 22 of the City of Ovilla Standard Construction Details adopted by Ordinance 2016-18 and codified as Chapter 3, Article 3.01, Section 3.01.05 of the Code of Ordinances of the City of Ovilla, Texas; authorizing and directing the posting and publication for the amended sheets to the City's website; providing a savings clause; providing a severance clause; providing an effective date; and providing for publication.

PL2 Oberg made the motion to approve the update of the Ovilla Standard Construction Details, as Presented. PL1 Huber seconded.

Recorded Vote:

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

No opposition/abstentions.

VOTE: The motion carried unanimously: 5-0

ITEM 14. DISCUSSION/ACTION – Consideration of any item(s) pulled from the Consent Agenda for individual consideration and action.

C1 ESD#2 was pulled for further consideration. PL4 Hunt asked the City Manager if there was additional information needing to be brought before Council, Ms. Woodall explained the contract is identical and there was no difference in the contracts other than the \$32,000 that is named by mistake as the 'alert system'. Ms. Woodall explained it was mis-budgeted.

A revised contract will be brought back. PL4 Hunt requests to receive this contract earlier in the year and not have the delay and revisions at the last minute. Chief Kennedy explained they usually are early in the year for the budget however, with the 2020 pandemic circumstances they are aware of the delay and inconvenience it has caused.

No Action – will bring back

PL4 Hunt explained that C2 ESD#4 Interlocal Agreement was pulled from consent by mistake.

PL4 Hunt made the motion to approve the ESD#4 Interlocal Services Agreement FY2020-2021

PL2 Oberg seconded.

Richard Dormier, Mayor

Rachel Huber, Place One

Dean Oberg, Place Two

Recorded Vote:

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

No opposition/abstentions.

VOTE: *The motion carried unanimously: 5-0*STAFF REPORTS

• Department Activity Reports / Discussion

- Police Department
- Fire Department
- Public Works Departments
- Administration
 1. Financials (non-reconciled)
 - a) Monthly Municipal Court Report
 2. Monthly Code/Animal Control Reports
 3. Administration Reports

Chief B. Windham

Chief B. Kennedy

J. Kuykendall

Finance Director Sharon Jungman

Code/AC Officer M. Dooly

City Manager P. Woodall

City Secretary G. Miller

Topics Discussed:

- rescind no "cut off" policy
- collect arrears
- letter to be sent for accounts getting behind
- mosquito spraying certificate

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).

A. Convene into Executive Session. 8:50 PM

Closed session pursuant to Section §551.071 of the Texas Government Code

ES Item 1. Closed session called pursuant to Section §551.072 of the Texas Government Code to deliberate the purchase, Exchange, lease, or value of real property.

Closed Meeting called pursuant to Texas Government Code §551.074 – Personnel Matters.

ES ITEM 2. DISCUSSION/ACTION – Deliberate the appointment, employment, evaluation, reassignment and/or duties of the City Manager.

ES ITEM 3. DISCUSSION/ACTION – Deliberate the appointment, employment, evaluation, reassignment and/or duties of the Police Chief.

B. Reconvene into Regular (Open) Session 9:48 PM – no announcement made

Richard Dormier, Mayor

Rachel Huber, Place One

Dean Oberg, Place Two

Doug Hunt, Place Four

David Griffin, Place Three

Michael Myers, Place Five

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

PL3 Griffin – mow Methodist Church property
PL4 Hunt – Check on Remote Capture for deposits
PL5 Myers – Discussion on meters for subdivisions
Mayor Dormier – water bill cut offs

* CM Pam Woodall announced the passing of Dana Argumaniz City Secretary of Red Oak, after a long battle with Cancer.

ADJOURNMENT

PL2 Oberg moved to adjourn the meeting of October 13, 2020 seconded by PL4 Hunt. There being no further business, Mayor Dormier adjourned the meeting at 9:50 PM.

Recorded Vote:

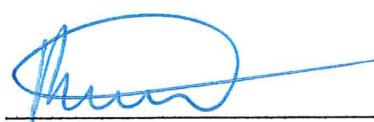
PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE



Richard Dormier, Mayor

ATTEST:



G. Miller, City Secretary



Approved November 9, 2020