

CITY OF OVILLA MINUTES
Monday January 11, 2021
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, Monday January 11, 2021 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

PL4 Hunt gave the invocation and PL2 Oberg led the reciting of the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

ANNOUNCEMENTS, RROCLAMATIONS, PRESENTATIONS, COMMENTS

None

CITIZEN COMMENTS:

1. Kaylee King – Miss Ovilla’s Outstanding Teen
2. Jimmie Wade – 606 Creekview Cr.- Speed bumps in Ovilla Oaks, drainage at the Post Office
3. Dani Muckelroy – 608 Green Meadows- ECAD issues – please nominate ethical- honest person

CONSENT AGENDA

1. Joint Election Contract for Election Services between the Elections Administrator of Ellis County and the City of Ovilla May 1, 2021
2. Annual Master Agreement with Dallas County approving Resolution R2021-01
3. Annual Interlocal Agreement with Ellis County Road and Bridge
4. Annual Review and acceptance of Investment Policy
5. Regular Meeting Minutes 2020.12.14

PL4 Hunt made the motion to approve the consent items as presented.
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 – PZ21.01 – Receive recommendation from the Planning and Zoning Commission to consider and act on an application for a Specific Use Permit, to open and operate *Tiverton Bakeshop* located at 839 E. Main Street, Ovilla, TX, 75154, filed by owner of said property Pamilee Koval, and operator Julie Weyand, to include consideration and action to waive the survey requirement.

PL3 Griffin made the motion to recommend and approve application for Specific Use Permit to open and operated *Tiverton Bakeshop* as well as waive the survey requirement, as presented. Seconded by PL4 Hunt.

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 2. DISCUSSION/ACTION – Consideration of and action on the creation of a Comprehensive Land Use Plan Review Committee to review and update the City of Ovilla Comprehensive Land Use Plan (CLUP).

City Manager Pam Woodall explained to the Council that Local Government Code Chapter 213 advises the update of a Comprehensive Land Use Plan (CLUP) be conducted every 5-years for long-range planning and development of the municipality. The City's last update occurred in 2016 (excluding the recent update to the Thoroughfare Plan).

PL4 Hunt made the motion to approve the committee. Seconded by PL1 Huber.

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 Resolution R2021-02, of the City Council of the City of Ovilla, Texas for candidate nomination for the Ellis Appraisal District Board of Directors vacancy for the Year 2021.

Mr. Pitts who served on the Ellis Appraisal District Board of Directors (BOD) since 2006, submitted his resignation from the Board.

Explanation to the Council: An individual is ineligible to serve on an appraisal district board of directors if the individual has engaged in the business of appraising property for compensation for use in proceedings under this title (for use in an ARB hearing or a tax agent) or of representing property owners for compensation in proceedings under this title in the appraisal district at any time during the preceding five years.

After much discussion went on about the vacancy, Dani Muckelroy expressed interest in the position.

PL4 Hunt made the motion to approve nomination Dani Muckelroy to the ECAD board for the vacancy for the Year 2021. Seconded by PL1 Huber.

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 – Consideration of and Action on Ordinance 2021-01 of the City Council of the City of Ovilla, Texas, authorizing a general election to be held on May 01, 2021 for the purpose of electing Mayor and two council members (Places 2 and 4) for expired terms by the qualified voters of Ovilla; establishing procedures for the election; providing for other matters incident and related to the election; providing for publication; providing a severability clause; and providing an effective date.

DISCUSIÓN/ACCIÓN – Consideración de una Acción a partir de la Ordenanza 2021-01 una elección general a llevarse a cabo el 1 de mayo de 2021 con el objetivo de elegir al alcalde y dos miembros del concejo (plazas 2 y 4) por plazos expirados por los votantes calificados de ovilla; estableciendo procedimientos para la elección; proporcionando otros asuntos incidentales y relacionados con la elección; proporcionando para publicación; proporcionando una cláusula de separabilidad; y proporcionando una fecha de entrada en vigencia.

State Law requires the City Council to authorize the Order of General Election.

May 01, 2021 is uniform Election Day. The prepared ordinance calls the election and outlines procedures consistent with the TX Election Code; designating the polling place for early voting and Election Day, the method of voting, appointment of the early voting clerk and other matters incident and related to the election.

PL5 Myers made the motion to approve the Order of Election as presented. PL4 Hunt seconded the motion.

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**

- ITEM 5. DISCUSSION/ACTION** – Consideration of and action on Ordinance 2021-02 of the City of Ovilla, Texas, repealing and replacing Chapter 13, Article 13.03 (water and wastewater), Division 2 (water service), Section 13.03.043 (billing date, delinquent date and disconnect date) of the Code of Ordinances of the City of Ovilla; providing new regulations pertaining to water utility billing; providing a billing due date, delinquency date and providing for discontinuance and disconnection of service; amending appendix a (fee schedule), article 7, section a7.003(c) (other charges) of the Code of Ordinances, providing a payment extension plan fee; providing a savings clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication.

City staff revealed to Council at the December Regular Meeting that Chapter 13, Section 13 of the Ovilla Code of Ordinances (water late fees assessment and disconnects) needed revision. Council directed staff to return with an ordinance based on discussion from the meeting.

Included in this ordinance the City offers a basic installment plan (\$25 or \$50) for delinquent customers, charging a flat fee. Late assessment fee is modified to 5%. This ordinance provides more clarity for penalty assessment and service discontinuation of services if necessary. We hope to receive better responses and more financial responsibility with our customers.

Staff will begin the monthly late notice and service disconnections upon Council direction.

PL4 Hunt made the motion to approve the Ordinance with the following updates to be put in place: \$50 installment plan fee and 10% penalty for late payment. PL1 Huber seconded the motion.

Recorded Vote:PL1 Huber AYEPL2 Oberg AYEMayor Pro Tem Griffin AYEPL4 Hunt AYEPL5 Myers NAY*One opposition/abstentions.***VOTE: The motion carried: 4-1**

- ITEM 6. DISCUSSION/ACTION** – Consideration of and action on whether to direct staff to prepare a Request for Qualifications (RFQ) for city engineering services and to solicit responses for Council consideration.

This item is brought to Council at the request of Mayor Pro Tem Griffin and Place 4 Hunt. Topics for concern and discussion were Performance issues and the distance traveled from main location.

Public Works Director James Kuykendall added: communication issues, dependability, as well as accountability for their work.

PL3 Griffin made the motion to approve to prepare an RFQ for city engineering services and to solicit responses for Council consideration. PL4 Hunt seconded.

Recorded Vote:

PI1 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 Council appointed committee to serve on the Engineering RFQ Review Committee.

PL3 Griffin made the motion to approve Mayor Dormier, PL4 Hunt, CM Pam Woodall, Public Works Director James Kuykendall, Construction Manager Randal Bailey to be appointed as the Engineering RFQ Committee. PL2 Oberg seconded.

Recorded Vote:

PI1 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 8. DISCUSSION/ACTION – Consideration of and action on Ordinance 2021-03 of the City of Ovilla, Texas, repealing Article 3.08 (tourist courts, tourist camps and house trailer parks); repealing Appendix Section A4.004 (license fee for tourist court, tourist camp or house trailer park); amending Chapter 6, Article 6.03 (minimum standards of sanitation and health protection) to eliminate the definition and references to “tourist courts;” providing a savings clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication.

PL5 Myers made the motion to eliminate the definition and references to ‘tourist courts’ as presented in Ordinance 2021-03. PL1 Huber seconded.

Recorded Vote:

PI1 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 – Discuss and review staff’s recommendations for the safe reopening of the city facilities.

No Action

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

None

STAFF REORTS

- Department Activity Reports / Discussion
 - Police Department Chief B. Windham
 - Fire Department Chief B. Kennedy
 - Public Works Departments Public Works Director J. Kuykendall
 - 1. Construction/Development Reports
 - 2. Water/wastewater
 - 3. Streets
 - 4. Parks
 - 5. Monthly Code/Animal Control Reports Code/AC Officer M. Dooly
 - Administration
 - 1. Financials (non-reconciled) Finance Director Sharon Jungman
 - a) Monthly Municipal Court Report
 - 2. Administration Reports City Manager P. Woodall
City Secretary G. Miller

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. 7:50 pm

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

ES ITEM 1. DISCUSSION/ACTION – Deliberate the appointment, employment, evaluation, reassignment and/or duties of the City Manager.

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

B. Reconvene into Regular Session. 8:04 pm

The following motions for each of the items on Executive Session:

Item ES1: PL4 Hunt made the motion to approve the revised contract. PL2 Oberg seconded.

Recorded Vote:

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

Item ES2: No Action

There being no requests for Future Agenda Items, the City Council Meeting was Adjourned at 8:07 pm.

Richard Dormier, Mayor



ATTEST:

G Miller, City Secretary

Approved February 08, 2021

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



Place Four Council, Doug Hunt
Place Five Council, Michael Myers
Place Three Council/ Mayor Pro Tem, David Griffin

WELCOME TO THE CITY OF OVILLA CITIZENS FORUM

The Ovilla City Council and City 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: 1/11/21 PHONE: 214-530-4114
DO YOU RESIDE WITHIN THE CITY LIMITS OF OVILLA? YES NO
NAME: Kaylee King
ORGANIZATION / DEPARTMENT: Miss Texas Outstanding teen
ADDRESS: 505 Forest Edge Ln Ovilla TX
CITY / ZIP: 75154

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

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: _____

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 6:30 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 Rachel King"