

CITY OF OVILLA MINUTES
Monday May 10, 2021
Regular City Council Meeting
105 S. Cockrell Hill Road, Ovilla, TX 75154

In accordance with order of the Office of the Governor the CITY COUNCIL of the CITY OF OVILLA conducted a meeting at 6:30 PM, Monday May 10, 2021 via Zoom 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 via Zoom 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 Zoom Meeting:

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 Zoom call.

CALL TO ORDER

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

ANNOUNCEMENTS, PROCLAMATIONS, PRESENTATIONS, COMMENTS

- Proclamations – Memorial Day, Municipal Clerks Week, National Police Week and Public Works Week – were presented by Mayor Dormier.

CITIZEN COMMENTS:

- Pamilee Koval – 713 W. Main – spoke about not being in agreement with the purposed fencing to be installed on City property adjacent to her property

CONSENT AGENDA

- C1. Financial Transactions over \$5000
- C2. Quarterly Investment Report
- C3. Cash Flow Balance Report as of March 31, 2021
- C4. Service Agreement for HVAC bi-annual maintenance by and between the City of Ovilla and Direct Services.
- C5. Comprehensive Land Use Plan Applicant John Knight.
- C6. First Responder Grant Services Consulting Agreement Contract.

PL4 Hunt made the motion pull Consent Items C2 & C3 for discussion and consideration and place as Item 18.

PL5 Myers made the motion to approve all Consent Items other than Items pulled, as presented. Seconded by PL2 Oberg.

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 AYEAYE

PL5 Myers AYE

REGULAR AGENDA

ITEM 1. DISCUSSION/ACTION – Consideration of and action on nominations and an appointment of Mayor Pro Tem.

Mayor Dormier asked for any nominations:

PL1 Rachel Huber - nomination was given by PL3 David Griffin

PL4 Doug Hunt - nomination was given by PL2 Dean Oberg

A vote was conducted and PL4 Doug Hunt was appointed Mayor Pro Tem with a 3 – 2 vote.

ITEM 2. DISCUSSION/ACTION – Consideration of and action on Resolution R2021-05 authorizing and approving the appointment of a Municipal Court Judge for a two-year term effective immediately.

PL2 Oberg made the motion to approve the appointment of Municipal Court Judge for a two- year term effective immediately. PL5 Myers Seconded.

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

ITEM 3. **DISCUSSION/ACTION** – Consideration of and action on Ordinance 2021-09 of the City Council of the City of Ovilla, Texas, amending Chapter 2, Article 2.01 of the Code of Ordinances of; repealing and replacing Chapter 2, Article 2.02, amending Article A3.000, Section A3.001 of the Appendix to the Ovilla Code of Ordinance; amending the definition of “Vaccinated Animal”, providing requirements for the vaccination, and registration of dogs and cats; providing for the issuance of registrations; and providing registrations fees.

PL4 Hunt made the motion to approve action on the Ordinance 2021-09 of the City Council regarding “Vaccinated Animals” providing the requirements for the vaccination, and the registration of dogs and cats; providing for the issuance of registrations; and providing registration fees. PL1 Huber seconded.

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

ITEM 4. **DISCUSSION/ACTION** – Consideration of and action on a Meritorious Exception, Chapter 3, Section 3.06.012 Granting of Exceptions of the Ovilla Code of Ordinances, filed by First Graphic Services to place a 8' X 12' pole sign for Broadmoor Estates on Westmoreland Road, Ovilla, Ellis County, Texas.

PL4 Hunt made the motion to approve the Meritorious Exception, Chapter 3, Section 3.06.012 granting of exceptions of the Ovilla Code of Ordinances, filed by First Graphic Services to place a 8'X12' pole sign for Broadmoor Estates on Westmoreland Road. PL2 Oberg seconded.

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

ITEM 5. **DISCUSSION/ACTION** – Consideration of and action on a variance to Chapter 14, Section 32, Temporary Uses and Special Events, 32.3 Permitted Special Events to allow unlimited Sundays for the set-up of Mobile Penny Paws Vet Community Outreach low-cost animal vaccinations at the Pickard House, 713 West Main Street, Ovilla, TX 75154.

Mayor Dormier opened discussion on this item by asking Ms. Koval to give highlights of the approved event. Ms. Koval stated the first time went well with the event. There were estimated 13 dogs that were seen by the staff. The following were concerns touched on by Council:

- Penny Paws has a new building being built in DeSoto
- Sales tax
- This is a mobile vet clinic and concern was for the resident veterinarian in town, who is a current resident

PL2 Oberg made the motion to DENY the Special Events Permit for Sunday set up of Penny Paws Vet Community Outreach. Seconded by PL4 Hunt.

One opposition.

VOTE: The motion to DENY carried: 4-1

Recorded Vote:

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers - NAY

ITEM 6. DISCUSSION/ACTION – Consideration of and action on a Meritorious Exception, Chapter 3, Section 3.06.012 Granting of Exceptions of the Ovilla Code of Ordinances, filed by Pamilee Koval to place a temporary 4'X5' pole sign for Penny Paws Mobile Vet in yard of 713 W. Main Street on the north and/or east side of property.

PL4 Hunt made the motion to DENY the Meritorious Exception for a pole sign at the location of 713 W. Main for Penny Paws Vet Community Outreach. Seconded by PL4 Hunt.

No opposition.

VOTE: The motion to DENY carried: 5-0

Recorded Vote:

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers - AYE

ITEM 7. DISCUSSION/ACTION – Receive annual report from staff and recommendation from the Board Review Committee to consider and act on volunteer board appointments/reappointment(s) to serve a term on the Board of Adjustment and/or direct staff to solicit for new applicants.

PL3 Griffin made the motion for the following appointments/reappointments:

- PL1 Carol Richtsmeier
- PL3 Barbara Betik
- PL5 Bert Holombek
- PL7 Michael Mohon

Seconded by PL2 Oberg.

No opposition.

VOTE: The motion to approved carried: 5-0

Recorded Vote:

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers - AYE

ITEM 8. DISCUSSION/ACTION – Receive annual report from staff and recommendation from the Board Review Committee to consider and act on volunteer board appointments and/or reappointment(s) to serve a term on the Economic Development Corporation (EDC) Board of Directors and/or direct staff to solicit for new applicants.

PL3 Griffin made the motion for the following appointments/reappointments:

- PL2 Bob Betik
- PL4 Lynn Henderson
- PL6 Amanda McCloskey

Seconded by PL4 Hunt.

No opposition.

VOTE: The motion to approve carried: 5-0

Recorded Vote:

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers - AYE

ITEM 9. DISCUSSION/ACTION – Receive annual report from staff and recommendation from the Board Review Committee to consider and act on volunteer committee appointments and/or reappointment(s) to serve a term on the Municipal Development District Board of Directors and/or direct staff to solicit for new applicants.

No Action

ITEM 10. DISCUSSION/ACTION – Receive annual report from staff and recommendation from the Board Review Committee to consider and act on volunteer committee appointments and/or reappointment(s) to serve a term on the Ovilla Park Board Advisory Committee and/or direct staff to solicit for new applicants.

Staff will contact present Board members for their desires to possibly serve on another Board if this board is dissolved by City Council.

No Action

ITEM 11. DISCUSSION/ACTION – Receive annual report from staff and recommendation from the Board Review Committee to consider and act on volunteer board appointment and/or

Richard Dormier, Mayor

Rachel Huber, Place One

Dean Oberg, Place Two

reappointment(s) to serve a term on the Planning and Zoning Commission and/or direct staff to solicit for new applicants.

PL3 Griffin made the motion for the following appointments/reappointments:

- PL1 Pat Gray
- PL3 Carol Lynch
- PL5 Dani Muckleroy
- PL7 James Hall

Seconded by PL1 Huber.

No opposition.

VOTE: The motion to approve carried: 5-0

Recorded Vote:

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers - AYE

ITEM 12. DISCUSSION/ACTION – Receive recommendation from the Municipal Development District for consideration of and action to approve the Municipal Development District FY2020-2021 Budget amendments to fund the completion of the Main Street Parking Lot located at 702 W. Main Street and Phase 1 renovations to the police station.

PL4 Hunt made the motion to approve the recommendation from the Municipal Development District FY2020-2021 Budget amendments to fund the completion of the Main Street Parking Lot located at 702 W. Main Street and Phase 1 renovations to the police station, as well as an additional \$500 for the new audit portion bringing the amount to \$459,931. Seconded by PL2 Oberg.

No opposition.

VOTE: The motion to approve carried: 5-0

Recorded Vote:

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers - AYE

ITEM 13. DISCUSSION/ACTION – Consideration of and action on Ordinance 2021-10 of the City of Ovilla, TX, amending the Fiscal Year 2020-2021 Annual Budget and Program of Services in accordance with Chapter 1, Article 1.05, Section 1.05.038 Mid-Year Budget Review and Amendment, of the City of Ovilla Code of Ordinances, as part of the formal budget process.

PL4 Hunt made the motion to approve the Ordinance 2021-10 of the City of Ovilla, TX, amending the Fiscal Year 2020-2021 Annual Budget and Program of Services in accordance with Chapter 1, Article

1.05, Section 1.05.308 Mid-Year Budget Review and Amendment, of the City of Ovilla Code of Ordinances, as part of the formal budget process. Seconded by PL1 Huber.

No opposition.

VOTE: The motion to approve carried: 5-0

Recorded Vote:

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers - AYE

ITEM 14 DISCUSSION – Review and discuss the need for speed humps in Ovilla Oaks Residential Subdivision and direct staff as necessary.

There were various concerns on the topic of placing speed humps in Ovilla Oaks.

Consensus with the councilmembers was they would be more problematic instead of being helpful to the citizens.

No Action.

ITEM 15. DISCUSSION/ACTION – Consideration of and action to either cancel or to set the official date for Heritage Day 2021, appointing various assignments to facilitate plans of the 2021 Heritage Day Celebration and festivities.

The councilmembers decided to revisit this topic for discussion and assignments in the June meeting.

No Action.

ITEM 16. DISCUSSION/ACTION – Consideration of and action on the opening of municipal facilities to the public and the option to discontinue zoom.

PL4 Hunt made the motion to open the municipal buildings with the recommended listed provisions provided beginning Monday June 7th, 2021. Including the opening of Municipal Court and Council/Board Meetings.

Seconded by PL2 Oberg.

One Opposition.

VOTE: The motion to approve carried: 4-1

Recorded Vote:

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers - NAY

ITEM 17. DISCUSSION/ACTION – Consideration of and action on the future plans for 708 Main Street.

Staff was instructed to get the deed restrictions on the property, as well as an asbestos abatement.

No Action

ITEM 18. DISCUSSION/ACTION – Consideration of any item(s) pulled from the Consent Agenda for individual consideration and action.

Consent Items C2 and C3 were pulled for further consideration.

PL4 Hunt stated that C3 was directed to be pulled by mistake.

Explanation of the request to pull Item C2 - Quarterly Investment Report was if there is any time frame on when reconciliation would take place.

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 made the motion to approve the Consent Items C2 and C3 that were pulled for further consideration for discussion. 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 19. DISCUSSION/ACTION – Consideration of and action to set a date and time for a ‘Police Basic Operational Workshop’ with Council and police command staff.

The date and time of May 19, 2021 @ 4:00 pm was agreed on.

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

- Department Activity Reports / Discussion

- Police Department
- Fire Department
- Public Works Departments
 - 1. Construction/Development
 - 2. Water/wastewater
 - 3. Streets
 - 4. Parks
 - 5. Monthly Code/Animal Control Reports

Chief B. Windham
Chief B. Kennedy
Public Works Director J. Kuykendall

- Administration
 - 1. Financials (non-reconciled)
 - a) Monthly Municipal Court Report
 - 2. Administration Reports

Finance Director Sharon Jungman
City Manager P. Woodall
City Secretary G. Miller

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

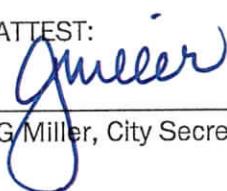
None.

The City Council Meeting was Adjourned at 9:15 pm.



Richard Dormier, Mayor

ATTEST:



G. Miller, City Secretary



Approved June 14, 2021