

City of Ovilla City Council

Rachel Huber, Place One
Dean Oberg, Place Two

Richard Dormier, Mayor
Doug Hunt Place Four, Mayor Pro Tem

David Griffin, Place Three
Michael Myers, Place Five

105 S. Cockrell Hill Road, Ovilla, TX 75154
Monday, July 12, 2021 6:30 P.M.

Council Chamber Room

AGENDA

PURSUANT TO SECTION 30.06, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH A CONCEALED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A CONCEALED HANDGUN.

CONFORME A LA SECCIÓN 30.06 DEL CÓDIGO PENAL (ENTRADA SIN AUTORIZACIÓN POR TITULAR DE LICENCIA CON UNA PISTOLA OCULTA), UNA PERSONA CON LICENCIA BAJO EL SUBCAPÍTULO H, CAPÍTULO 411 DEL CÓDIGO DE GOBIERNO (LEY DE LICENCIAS DE PISTOLAS), NO PUEDE ENTRAR EN ESTA PROPIEDAD CON UNA PISTOLA OCULTA.

PURSUANT TO SECTION 30.07, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY.

CONFORME A LA SECCIÓN 30.07 DEL CÓDIGO PENAL (ENTRADA SIN AUTORIZACIÓN POR TITULAR DE LICENCIA CON UNA PISTOLA VISIBLE), UNA PERSONA CON LICENCIA BAJO EL SUBCAPÍTULO H, CAPÍTULO 411 DEL CÓDIGO DE GOBIERNO (LEY DE LICENCIAS DE PISTOLAS), NO PUEDE ENTRAR EN ESTA PROPIEDAD CON UNA PISTOLA VISIBLE.

NOTICE is hereby given of a Regular Meeting of the City Council of the City of Ovilla, to be held on Monday, July 12 2021 at 6:30 P.M. in person as well as via Zoom, for the purpose of considering the following items:

SUPPLEMENTAL NOTICE OF MEETING BY TELEPHONE CONFERENCE:

In accordance with order of the Office of the Governor, the City Council of the CITY OF OVILLA will conduct the meeting scheduled at 6:30 PM, Monday, July 12, 2021 by Zoom/Teleconference 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 toll-free dial-in number to participate in the telephonic meeting is:

Telephone: 1-346-248-7799 Meeting ID: 948 4874 7754

If you would like to join the meeting with your computer, tablet, or smartphone:

<https://zoom.us/j/94848747754>

The public will be permitted to offer public comments as provided by the agenda and as permitted by the presiding officer during the meeting. In order to give the public the ability to address the City Council while unable to attend in-person, and for efficient and timely meetings, pre-registration is required for any citizen wishing to speak during the Citizens Comments portion of the meeting. Please Email topic(s) regarding any item(s) you wish to address in the Citizens Comments to the City Secretary at gmiller@cityofovilla.org by 4:00 PM on Monday, July 12, 2021. The emails received by the time indicated will be provided to the council members prior to the meeting. Please make sure to include your name, address, and topic in the body of email.

I. CALL TO ORDER

- Invocation - led by PL5 Mike Myers
- US. Pledge of Allegiance and TX Pledge - led by PL2 Dean Oberg

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II. COMMENTS, PRESENTATIONS, ANNOUNCEMENTS, PROCLAMATIONS

- Announcements – Council approval and welcoming on the appointment of Chief Joey Bennett

III. CITIZENS COMMENTS

The City Council welcomes comments from Citizens. Those wishing to speak must sign in before the meeting begins. Speakers may speak on any topic, whether on the agenda or not. The City Council cannot act upon, discuss issues raised or make any decisions at this time. Speakers under citizen's comments must observe a three-minute time limit. Inquiries regarding matters not listed on the Agenda may be referred to Staff for research and possible future action.

IV. CONSENT AGENDA

The following items may be acted upon in one motion. No separate discussion or action is necessary unless requested by a Council Member, in which event those items will be pulled from the consent agenda for individual consideration on the regular agenda during this meeting.

- C1. Financial Transactions over \$5000
- C2. Minutes of the Regular Council Meeting July 2, 2021
- C3. Minutes of the Regular Council Meeting June 14, 2021

V. PUBLIC HEARING

Ordinance No.2021-13 of the City of Ovilla, Texas, repealing Sections 32.3, 32.4, 32.5, 32.6 and 33.10 of the City's Zoning Ordinance; adopting new regulations for special events in the City as Chapter 15 to the Code of Ordinances; providing for penalties; providing a savings clause; providing a severance clause; providing for immediate effect; and providing for publication.

- a. PRESENTATION by staff.
- b. PUBLIC HEARING to receive comments from the public regarding Ordinance No. 2021-13.
- c. RECEIVE recommendation from the Planning and Zoning Commission regarding Ordinance No. 2021-13

VI. REGULAR AGENDA

ITEM 1. DISCUSSION/ACTION – Receive recommendation from the Planning and Zoning Commission to consider and act on Ordinance No. 2021-13 of the City of Ovilla, Texas, repealing Sections 32.3, 32.4, 32.5, 32.6 and 33.10 of the City's Zoning Ordinance; repealing Article A8.000, Sections A8.003(5) and A8.003(5)(a) of the Appendix to the Code of Ordinances; adopting new regulations for special events in the City as Chapter 15 to the Code of Ordinance; providing for a special event permit fees; providing for penalties; providing a savings clause; providing a severance clause; providing for immediate effect; and providing for publication as presented.

VII. PUBLIC HEARING

Consideration of and action on a replat application submitted by Ronald DeFord to replat 2.306-acres of the 23.99 total acres, Samuel Clark Survey, Abstract 214, off Westmoreland at Hosford Lane, in the City of Ovilla, Ellis County, Texas.

- a. PRESENTATION made by applicant and staff.
- b. PUBLIC HEARING to receive comments from the public.

VIII. REGULAR AGENDA

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ITEM 2. **DISCUSSION/ACTION** – Consideration of and action on Re-Plat #2021-01 application submitted by Ronald DeFord to replat 2.306-acres of the 23.99 total acres, Samuel Clark Survey, Abstract 214, off Westmoreland at Hosford Lane, more commonly referred to as 800 Hosford Road, in the City of Ovilla, Ellis County, Texas.

ITEM 3. **DISCUSSION/ACTION** – Receive recommendation from the Economic Development Corporation to consider and act on use restrictions at 708 W. Main Street, directing staff to work with legal counsel for the preparation of sale.

ITEM 4. **DISCUSSION/ACTION** – Consideration of and action to authorize the city manager to approve a contract with a licensed real estate appraiser to obtain a formal fair market value on the City property of 708 W. Main Street, Ovilla, Ellis County, Texas 75154.

ITEM 5. **DISCUSSION/ACTION** – Receive recommendation from the Board Review Committee to consider and act on a volunteer board appointment to fill a vacancy to serve an open term on the Zoning Board of Adjustment.

ITEM 6. **DISCUSSION/ACTION** – Consideration of and action to discuss the pavilion project funded this fiscal year by the Economic Development Corporation.

ITEM 7. **DISCUSSION/ACTION** – Consideration of and action on Ordinance No. 2021-14 of the City of Ovilla, Texas, repealing Article a2.000, Section a2.006 of the appendix to the Code of Ordinances of the City of Ovilla; eliminating permit fees for camping or sleeping in parks; providing a savings clause; providing a severance clause; providing for immediate effect; and providing for publication.

ITEM 8. **DISCUSSION/ACTION** – Consideration of and action on Ordinance No. 2021-15 of the City of Ovilla, Texas, amending Chapter 2 (“animal control”), of the Code of Ordinances of the City of Ovilla, providing beekeeping regulations; providing for penalties; providing a savings clause; providing a severance clause; providing for immediate effect; and providing for publication.

ITEM 9. **DISCUSSION/ACTION** – Consideration of any item(s) pulled from the Consent Agenda for individual consideration and action.

STAFF REPORTS

- 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
 - Administration
 - 1. Financials (non-reconciled)
 - a) Monthly Municipal Court Report
 - b) UB Cut-Off May 2021
 - 2. Administration Reports

Chief J. Bennett

Chief B. Kennedy

Public Works Director J. Kuykendall

Finance Director Sharon Jungman

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).

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

X. ADJOURNMENT

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the July 12, 2021 Regular City Council Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, www.cityofovilla.org, on the 09th day of July 2021 prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code.

G Miller, City Secretary

G Miller, City Secretary

DATE OF POSTING: JULY 9, 21 TIME: 4.00 am / pm
DATE TAKEN DOWN: _____ TIME: _____ am / pm

PLEASE SILENCE ALL CELL PHONES & OTHER ELECTRONIC EQUIPMENT WHILE THE CITY COUNCIL MEETING IS IN SESSION.

A recording of the meeting will be made and will be available to the public in accordance with the Open Meetings Act upon written request.