

CITY OF OVILLA MINUTES

Tuesday, October 12, 2021

City Council Meeting

105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Dormier called the Council Meeting of the Ovilla City Council to order at 6:34 PM, in the Ovilla Council Chamber Room, 105 S. Cockrell Hill Road Ovilla TX 75154, with notice of the meeting duly posted.

The following City Council Members were present:

Rachel Huber	Council Member, Place 1
David Griffin	Council Member, Place 3
Doug Hunt	Mayor Pro Tem, Place 4
Michael Myers	Council Member, Place 5

Mayor Dormier noted the participating Council Members, thus constituting a quorum. PL2 Dean Oberg was noted absent. City Secretary, department directors and various staff were also present.

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

Mayor Dormier presented the Fire Safety/Fire Prevention Month Proclamation to Fire Chief Brandon Kennedy.

CITIZEN COMMENTS:

- None

CONSENT AGENDA:

- C1. Financial Transactions over \$5000
- C2. Minutes of the Regular Council Meeting of September 13, 2021
- C3. Emergency Services District #2 Annual Service Agreement.
- C4. Emergency Services District #4 Annual Service Agreement.
- C5. BKD Engagement Letter for audit services, ended September 30, 2021.

PL1 Huber made the motion to approve the consent items as presented.
Seconded by PL4 Hunt.

VOTE: The motion to approve carried unanimously: 4-0

Recorded Vote:

PL1 Huber AYE

PL3 Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

PL2 Oberg was noted absent.

REGULAR AGENDA

ITEM 1. **DISCUSSION/ACTION** – Receive recommendation from the Planning and Zoning Commission to consider and act on a preliminary plat application filed by Tomorrow Realty Investment for a 120-acre residential subdivision development, Forest Creek Estates, legal description being 1337 RM Billingsley and 75 J Billingsley, City of Ovilla, Ellis County,

Texas, more commonly known as the Miracle Properties on Johnson Lane, west of Duncanville Road, Ovilla, Ellis County, Texas, 75154.

Mayor Dormier explained to the Councilmembers that there have been updates on Plat submittals by Local Government Code. He stated that once a plat is declared a complete submittal, the city has 30 days to act on that plat. He explained that the 30 days is about to expire and at this time the Plat does not meet all our requirements. The developer did not withdraw or ask for an extension to the time frame, therefore the Planning and Zoning Commission denied recommendation.

Mayor Dormier stated we will move forward with discussions and bring back to the November P&Z meeting for recommendation for November City Council meeting once all comments have been addressed.

PL1 Huber made the motion to DENY the Preliminary Plat presented to the Council, as presented. Seconded by PL3 Griffin.

VOTE: The motion to DENY carried unanimously: 4-0

Recorded Vote:

PL1 Huber AYE

PL3 Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

PL2 Oberg was noted absent.

ITEM 2. DISCUSSION/ACTION – Consideration of and action on a revised concept plan for the development of walking trails, and placement of public restrooms and the pavilion at Founders Park.

There was much discussion of the placement and how everything should flow with the revised plan. The census of the council was very positive.

PL4 Hunt made the motion to approve the revised concept plan for development of walking rails, and placement of public restrooms and the pavilion at Founders Park, as presented.

Seconded by PL5 Myers

VOTE: The carried unanimously: 4-0

Recorded Vote:

PL1 Huber AYE

PL3 Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

PL2 Oberg was noted absent.

ITEM 3. DISCUSSION/ACTION – Consideration of and action on Ord 2021-20 of the City of Ovilla, Texas, amending Appendix A, Article A8.000, Section A8.004(3)(c) of the Code of Ordinances of the City of Ovilla, Texas, providing inspection fees based on improvement cost; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication.

Mayor Dormier explained that Commercial fee is at \$5000 minimum cost of city inspection. City Manager Pam Woodall explained that Legal Counsel put together ordinance and stated a 4% in fees is suggested.

Discussion moved to what the surrounding cities were, and their average being 3.5%

PL5 Myers made the motion to approve the Ordinance 2021-20 of the City of Ovilla, Texas, amending Appendix A, Article A8.000, Section A8.004(3)(c) of the Code of Ordinances of the City of Ovilla, Texas, providing inspection fees based on improvement cost; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication fees at 4% and a \$5000 minimum for commercial property.

Seconded by PL3 Griffin

VOTE: The carried: 3-1

Recorded Vote:

PL1 Huber AYE

PL3 Griffin AYE

PL4 Hunt NAY

PL5 Myers AYE

PL2 Oberg was noted absent.

ITEM 4. DISCUSSION/ACTION – Consideration of and action on Ord 2021-21 of the City of Ovilla, Texas, repealing Chapter 4, Article 4.10, Section 4.10.002(g); providing revised regulations pertaining to mobile food vendor operations on private property and commercial business property; 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 Manager Pam Woodall explained that the council revised the Special Events Permit at last meeting and when that was done it caused conflict with this specific ordinance. This item was explained as simply a 'clean up' to the code.

PL4 Hunt made the motion to approve Ord 2021-21 of the City of Ovilla, Texas, repealing Chapter 4, Article 4.10, Section 4.10.002(g); providing revised regulations pertaining to mobile food vendor operations on private property and commercial business property; 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, as presented.

Seconded by PL1 Huber.

VOTE: The carried unanimously: 4-0

Recorded Vote:

PL1 Huber AYE

PL3 Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

PL2 Oberg was noted absent.

ITEM 5. DISCUSSION/ACTION – Consideration of and action authorizing the mayor to execute an agreement with Headstrong Environmental Services LLC, for the asbestos removal at city hall.

City Manager Pam Woodall gave clarification on this item by stating at time of packet delivery to councilmembers there was originally 2 bids and a no bid. The third company did submit after the packets went out to Council. The bid was presented and explained they were much lower due to limited to no overhead and a small company.

First Motion:

PL3 Griffin made the motion to deny authorizing the mayor to execute an agreement with Headstrong Environmental Services LLC for the asbestos removal at city hall, as presented.
Seconded by PL5 Myers.

VOTE: carried unanimously to DENY: 4-0

Recorded Vote:

PL1 Huber AYE

PL3 Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

PL2 Oberg was noted absent.

Second Motion:

PL5 Myers made the motion to contract with North Texas Environmental to remove asbestos from old Public Works building, City Hall and Fire bay.
Seconded by PL1 Huber.

VOTE: FAILED 4-0

Recorded Vote:

PL1 Huber NAY

PL3 Griffin NAY

PL4 Hunt NAY

PL5 Myers NAY

PL2 Oberg was noted absent.

Third Motion:

PL4 Hunt made the motion to contract with North Texas Environmental to remove asbestos from old Public Works building, City hall and Fire bay subject to references check being favorable as determined by the City Manager.
Seconded by PL3 Griffin.

VOTE: carried unanimously: 4-0

Recorded Vote:

PL1 Huber AYE

PL3 Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

PL2 Oberg was noted absent.

ITEM 6. **DISCUSSION/ACTION** – Consideration of and action authorizing the mayor to execute an agreement with Resource Environmental Consulting, Inc., for the asbestos removal at 708 W. Main Street.

First Motion:

PL4 Hunt made the motion to DENY authorization by the mayor to execute an agreement with Resource Environmental Consulting Inc. for the asbestos removal at 708 W. Main Street, as presented. Seconded by PL3 Griffin.

VOTE: to DENY carried unanimously: 4-0

Recorded Vote:

PL1 Huber AYE

PL3 Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

PL2 Oberg was noted absent.

Second Motion:

PL4 Hunt made the motion to approve authorization by the mayor to execute an agreement with North Texas Environmental to remove asbestos from old 708 W. Main Street subject to references check being favorable as determined by the City Manager.

Seconded by PL3 Griffin.

VOTE: carried unanimously: 4-0

Recorded Vote:

PL1 Huber AYE

PL3 Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

PL2 Oberg was noted absent.

ITEM 7. **DISCUSSION/ACTION** – Consideration of and action authorizing the mayor to execute two employee reimbursement agreements.

PL3 Griffin made the motion to approve authorization by the mayor to execute two employee reimbursement agreements.

Seconded by PL1 Huber.

VOTE: carried unanimously: 4-0

Recorded Vote:

PL1 Huber AYE

PL3 Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

PL2 Oberg was noted absent.

ITEM 8. **DISCUSSION** – Update and discuss staffs initial plans for the renovations of the police station and city offices.

Discussion Only

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

None

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 June 2021
 2. Administration Reports

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

Finance Director Sharon Jungman

City Manager P. Woodall
Interim 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).

REQUESTS FOR FUTURE AGENDA ITEMS AND/OR ANNOUNCEMENTS BY COUNCIL AND STAFF
Mayor Dormier – Christmas Tree Lighting – Discussion on Buy American “Policy”

The City Council Meeting was Adjourned at 8:16 pm.



Richard Dormier, Mayor

ATTEST:

G Miller, Interim City Secretary

Approved November 8, 2021