

**CITY OF OVILLA MINUTES**  
**Monday, January 10, 2022**  
**Regular 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 6:30 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
Dean Oberg	Council Member, Place 2
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. The city manager, city secretary, department directors, and various staff were also present.

**CALL TO ORDER**

Mayor Dormier 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 offered condolences to PL3 Griffin on the passing of his father-in-law.

**CITIZEN COMMENTS:**

- Dani Muckleroy, 608 Green Meadows, fencing requirements and time limits of building permits.

**CONSENT AGENDA –**

- C1. Financial Transactions over \$5000
- C2. Minutes of the Regular Council Meeting of December 13, 2021
- C3. Ordinance 2022-01 Calling the May 7, 2022, General Election  
(Ordenanza 2022-01 Convocando el 7 de mayo de 2022, Elecciones Generales)
- C4. Resolution R2022-01 Casting the City of Ovilla's Vote for the Fourth Member of the Board of Directors of the Dallas Central Appraisal District to Michael Hurtt
- C5. Professional Services Agreement with Kimley Horn, Comprehensive Plan Update
- C6. Acknowledgment and Consent for Modification of Antenna Facilities for T-Mobile

PL5 Myers made a motion to approve all consent items as presented.  
Seconded by Mayor Pro Tem Hunt.

No oppositions, no abstentions.

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

- ITEM 1. PUBLIC HEARING** - Consideration of a replat request, filed by Eric Walker to replat 4.8-acres of currently platted property to create 2 parcels of land being Lot 1 Block A 2.053 acres and Lot 2 Block A 2.761 acres. The property is commonly known as 438 Johnson Lane, City of Ovilla, Ellis County, Texas.

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

Staff presented the background on the replat as requested by the applicant.  
Mr. Eric Walker, applicant, addressed the Council requesting approval of the replat.

Mayor Dormier opened the Public Hearing at 6:43 p.m.

**Public Comments:**

- Robert Smith, 556 Johnson Lane, asked the Council to maintain consistency on plats, advised he was neutral to the replat.
- Charles Cerf, 432 Johnson Lane, not in favor of replat, requested Council to deny the request.
- Dany Muckleroy, 608 Green Meadows, asked if the applicant had the intention of placing a long driveway on the lot.

Mayor Dormier closed the Public Hearing at 6:58 p.m.

**ITEM 2. DISCUSSION/ACTION** - Consideration of a replat request, filed by Eric Walker to replat 4.8-acres of currently platted property to create 2 parcels of land being Lot 1 Block A 2.053 acres and Lot 2 Block A 2.761 acres. The property is commonly known as 438 Johnson Lane, City of Ovilla, Ellis County, Texas.

**AS IN THE PUBLIC HEARING, STAFF SHARED THE BASIC INFORMATION ON THE REQUEST:**

<b>OWNER/APPLICANT:</b>	Eric Walker
<b>APPLICATION DATE:</b>	November 14, 2021
<b>LOCATION:</b>	438 Johnson Lane
<b>UTILITIES:</b>	Water/Septic
<b>ZONING:</b>	RE 1 Acre
<b>PROPOSED LAND USE:</b>	Residential
<b>MAJOR THOROUGHFARE:</b>	Cockrell Hill Road

The applicant has requested to divide 2.053 acres & 2.761-acres from the 4.8 total acres for the purpose of keeping show cattle. Eight letters to homeowners within 200 feet were mailed. Staff confirmed that no letters had been returned opposing or in favor of the request.

Mayor Dormier confirmed with staff that City Ordinances do not address panhandle lots. Mayor Pro Tem Hunt shared concerns with the Right of Way not being specific on the plat. Staff advised that the replat does conform to current city regulations and that the replat should be approved by the Council according to legal counsel.

Mayor Pro Tem Hunt PL5 Myers moved that to approve a replat request, filed by Eric Walker to replat 4.8-acres of currently platted property to create 2 parcels of land being Lot 1 Block A 2.053 acres and Lot 2 Block A 2.761 acres. The property is commonly known as 438 Johnson Lane, City of Ovilla, Ellis County, Texas.

PL2 Oberg seconded the motion

No oppositions, no abstentions.

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

**ITEM 3. DISCUSSION/ACTION–** Consideration of and action on a recommendation from the Planning and Zoning commission to act on a Preliminary Plat application filed by Tomorrow Realty Investment for a 120-acre residential subdivision development, Forest Creek Estates, being 1337 RM Billingsley and 75 J Billingsley, commonly known as the Miracle Properties on Johnson Lane, West of Duncanville Road, Ovilla, Ellis County, Texas.

CITY STAFF SHARED THE BASIC INFORMATION OF THE REQUEST.

**SUBDIVISION NAME: FOREST CREEK ESTATES**

**AUTHORIZED AGENT OF RECORD:** Tomorrow Realty Investment

**ENGINEER:** Kistenmacher Engineering Company

**DATE OF COMPLETENESS/FILED:** September 13, 2021

**LOCATION:** Johnson Lane, west of Duncanville Road

**UTILITIES:** City Sewer / City Water

**ZONING:** R-E (1-acre)

**PROPOSED LAND USE:** Residential Subdivision

**MAJOR THOROUGHFARE:** Highway 664 Ovilla Road / Beltline Road, Cedar Hill

A submitted application for the development of a residential subdivision being 120 acres, 97 lots of residential home sites in the city limits of Ovilla. This area was formally known as the Miracle Properties off of Johnson Lane.

City Staff advised that comments had been received by the engineer of the project earlier in the day.

Carol Lynch, Chair of the Planning and Zoning Commission, advised the Council that the Commission had denied the request, however, Ms. Lynch stated that the plat would have been approved if all comments had been addressed by the applicant's engineer as the plat did meet the city criteria for approval.

Glenn Kistenmacher, Engineer for the applicant, addressed the council and advised that all concerns raised by the City Engineer had been addressed. Staff confirmed Mr. Kistenmacher statement.

PL5 Myers made a motion to conditionally approve a Plat application filed by Tomorrow Realty Investment for a 120-acre residential subdivision development, Forest Creek Estates, being 1337 RM Billingsley and 75 J Billingsley, commonly known as the Miracle Properties on Johnson Lane, West of Duncanville Road, Ovilla, Ellis County, Texas contingent on the following to be addressed by the applicant prior to the approval of the final plat.

- Manhole's must be shown on the final plat
- Conditional Letter of Map Revision must be included
- All Engineering Comments must be addressed on the final plat
- Confirmation that the diameters of cul-de-sacs meet the Fire Code

PL1 Huber seconded the motion.

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

**ITEM 4. DISCUSSION–** Discussion on the possibility of an additional City of Ovilla Public parking lot.



PL3 Griffin requested that the City Council address additional parking to the Downtown area. Mr. Griffin advised that parking areas fill quickly on the weekend and with potential new businesses coming to the area new parking options need to be considered.

The consensus from the council was that the city is not currently ready to address more parking however, Mayor Dormier stated that a parking lot could potentially be added to the deed restrictions of the lot located at 708 W. Main prior to the sale of the lot.

Discuss item only, no action taken

ITEM 5. **DISCUSSION/ACTION** – Consideration of any item(s) pulled from the Consent Agenda for individual consideration and action.

None

**MAYOR DORMIER MOVED THE EXECUTIVE SESSION TO TAKE PLACE PRIOR TO STAFF REPORTS.**

#### 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. 7:35 p.m.*

ES ITEM 1. **DISCUSSION** – Closed Session - Called pursuant to Section §551.071 (2) of the Texas Government Code: Consultation with the city attorney on the following matter in which the attorney's duty of confidentiality to the city under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act.

- Meeting agendas and the Texas Open Meetings Act

B. *Reconvene into Regular (Open) Session 8:08 p.m.*

Mayor Dormier and the governing body reconvened into Regular (Open) Session 8:08 p.m. Mayor Dormier advised that no decisions were made in executive session and any decision would be made in open session.

ES ITEM 2. **DISCUSSION/ACTION** –Any action necessary or appropriate as a result of the closed executive session.

**No Action**

#### VI. STAFF REPORTS

- Department Activity Reports / Discussion
  - Police Department Police Chief J. Bennett
    - December 2021 Police Activity and Staffing Updates
  - Fire Department Fire Chief B. Kennedy
    - December 2021 Fire Activity and Staffing Updates

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

Doug Hunt, Place Four  
David Griffin, Place Three  
Michael Myers, Place Five

- Public Works Department Public Works Director J. Kuykendall
  - December 2021 Public Works Activity and Staffing Updates
- 1. Administration
  - Financials Finance Director S. Jungman
    - a) December 2021 Finance Activity
  - Administration City Manager P. Woodall
    - City Secretary B. Taylor
    - a) December 2021 Administrative Staffing Updates
    - b) AMI Water Meters
    - c) Covid-19 Directive
    - d) Board of Adjustment
    - e) Residential Development Projects
    - f) 2022 General Election

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

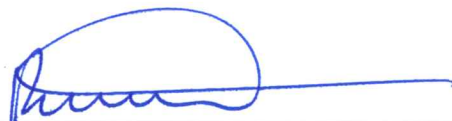
1. PL2 Oberg requested that the resurfacing of Cockrell Hill and a budget amendment to cover any cost of the resurfacing be placed on the next agenda for discussion.
2. PL3 Griffin requested a discussion item be added to the next agenda addressing fence permit fee requirements for existing fencing.

**ADJOURNMENT**

PL2 Oberg made a motion to adjourn. PL4 Hunt seconded the motion. There being no further business, Mayor Dormier adjourned the meeting at 8:15 p.m.

No oppositions, no abstentions.

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

  
Richard Dormier, Mayor

ATTEST:

  
Bobbie Jo Taylor, City Secretary

Approved February 14, 2022



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

Doug Hunt, Place Four  
David Griffin, Place Three  
Michael Myers, Place Five