

CITY OF OVILLE MINUTES
Monday, February 14, 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 6:34 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 that Place 2 Oberg was absent from the meeting but that all other members of the Council were in attendance, thus constituting a quorum. The city manager, city secretary, department directors, and various staff were also present.

CALL TO ORDER

Mayor Pro Tem Hunt gave the invocation and PL5 Myers led the reciting of the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

ANNOUNCEMENTS, PROCLAMATIONS, PRESENTATIONS, COMMENTS

- Red Oak Independent School District presentation of 2022 Bond Information.

CITIZEN COMMENTS:

- Antria Felicia Frazier, 206 Williamsburg Lane, addressed the Council with concerns regarding her driveway approach.

CONSENT AGENDA –

- C1. Financial Transactions over \$5000.00
- C2. Minutes of the Regular Council Meeting of January 10, 2022
- C3. Resolution R2022-02 Authorizing Continued Participation with the Atmos Cities Steering Committee
- C4. Section date(s) of April 23, 2022, and April 30, 2022, for the City's annual household hazardous waste and brush clean-up day(s), in accordance with Section 5.3 (b) City Services of the contract.

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

No oppositions, no abstentions.

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

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

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

REGULAR AGENDA

ITEM 1. DISCUSSION/ACTION- Consider and take action on a proposal from ClearGov to provide Budgeting Software for the City of Ovilla.

Dennis Maher, Market Development Executive, presented the Council with an overview of the budgeting software ClearGov. Mr. Maher's presentation included a demonstration of the ClearGov software and a sample of budget books both digital and in pdf format.

City Staff advised that ClearGov Budgeting Software will improve the city's current budget process by furnishing the city with a complete digital budget book including charts, graphs, operational, and capital budgeting. City Manager Pam Woodall stated that the ClearGov Budgeting Software will also allow more transparency of the city's financials which the City Council has always desired, including the necessary requirements and assistance with budgeting for GFOA Budget Recognitions.

City Staff addressed the pricing for ClearGov advising that the software is \$16,500.00 annually. However, if Council were to allow staff to implement the software during this current budget year, the cost would be prorated to \$9,625.00. Clear Gov is also waiving a one-time setup fee of \$1200.00 per module.

Place 5 Myers made a motion to approve a proposal from Cleargov to provide Budgeting Software for the City of Ovilla at the cost of \$9,625.00 for the current budget year and \$16,500.00 to be included in the 2022-2023 budget year.

Seconded by Place 4 Mayor Pro Tem Hunt

No oppositions, no abstentions.

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

ITEM 2. DISCUSSION/ACTION- Consider and take action on a potential adjustment to the water bill for the Homeowners Association (HOA) of Ashburne Glen for the water meter located at the North Entrance to the subdivision.

Mayor Dormier and Place 5 Myers excused themselves from the meeting at this time due to a conflict of interest on file.

Kathy Dickey, 103 Robin Glen Lane, address the council with concerns about a faulty meter at the North Entrance to Ashburne Glen. Ms. Dickey asked the Council to implement an ordinance that will allow for adjustments due to faulty equipment.

Mary Cavanaugh, 108 Nob Hill, addressed the council with concerns of a faulty meter at the North Entrance to Ashburne Glen that was not calculating the metered water usage correctly. Ms. Cavanaugh asked the Council to consider a fair adjustment to the account.

Public Works Director, James Kuykendall advised that The Homeowner's Association contacted Water Supervisor, Daniel Durham, regarding the water bill for July 2021. The Water Department tested the meter and discovered that the meter was reading 13 gallons per 10 gallons of actual usage. Mr. Kuykendall stated that an additional adjustment has not been given at this time due to City Ordinance stating that only one (1) adjustment is allowed per 12-month period. Mr. Kuykendall recommended an adjustment be made to the account.

Mayor Pro Tem Hunt, Council Place 1 Huber and Place 3 Griffin discussed an adjustment to be given on the account.

Place 1 Huber motioned to approve an adjustment to the August billing of the Ashburne Glen Homeowner's Association for the water meter located at the North Entrance of the subdivision in the amount of \$160.00. Seconded by Place 3 Griffin.

No oppositions, No abstentions.

VOTE: The motion to approve carried unanimously: 3-0

Mayor Dormier and Place 5 Myers returned to the meeting.

ITEM 3. DISCUSSION/ACTION- Consideration and action on an Ad-Hoc appointment of Windy Zabojnik to the City of Ovilla, Texas, Comprehensive Land Use Plan Committee.

Place 3 Griffin motioned to approve the Ad-Hoc appointment of Windy Zabojnik to the City of Ovilla, Texas, Comprehensive Land Use Plan Committee.

Seconded by Place 1 Huber

No oppositions, no abstentions.

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

ITEM 4. DISCUSSION/ACTION- Receive a recommendation from the AMI Committee to consider and award a Request for Proposal (RFP) for Advanced Metering Infrastructure (AMI) Water Meters Smart Earth Technologies.

City Staff advised the council that notice of a Request for Proposal (RFP) had been published in the Ellis County Press and on the City of Ovilla website for Advanced Metering Infrastructure (AMI) Water Meters on December 23, 2021. Staff noted that two bids were received and opened on the 24th of January. The bids were from Smart Earth Technologies (SET) and Mountain States Pipe & Supply (MSPS).

SET Bid Total \$460,871.00

MSPS Bid Total \$625,089.41

Staff noted that SET Bid Total did meet the City Budget and that MSPS is over the amount budgeted for the project.

The Public Works Director James Kuykendall advised that his department conducted research of AMI Water Meters by traveling to the City of Corsicana to seek opinions and check references of the SET software. Mr. Kuykendall stated that the City of Corsicana is happy with the product and services offered by Smart Earth Technologies (SET).

Mayor Pro Tem Hunt motioned to accept a proposal from Smart Earth Technologies (SET) to provide Advanced Metering Infrastructure (AMI) Water Meters to the City of Ovilla.
Seconded by Place 5 Myers.

No oppositions, no abstentions.

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

ITEM 5. DISCUSSION/ACTION- Consideration and Action on deed restrictions for .504 acres in Brookwood Estates owned by the City of Ovilla.

Council discussed the appropriate direction for City Staff to move forward with deed restrictions for .504 acres in Brookwood Estates.

Staff reported that Council gave staff permission to obtain a certified appraisal for this property, which has been delayed however it is now almost complete. The following restrictions had previously been discussed by the Council:

1. The property must be platted as part of an adjacent lot.
2. No street access for a driveway will be made available to the access easement to the existing lot.

Place 3 Griffin motioned to approve the listed restriction(s) for the sale of .504 acres in Brookwood Estates, directing staff to follow recommended procedures for the sale.

Seconded by Place 4 Mayor Pro Tem Hunt.

No oppositions, no abstentions.

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

ITEM 6. DISCUSSION/ACTION- Consideration of and action on deed restrictions for 708 W. Main St. and 2.4 acres of landlocked property behind 708 W. Main St. known as the Switzer Property, which shall be platted as one parcel; both properties are owned by the City of Ovilla.

Council discussed the previous action on the property located at 708 W. Main St. and the intention to include the 2.4 acres of landlocked property behind 708 W. Main. The Council was advised by staff that both properties needed to be platted as one parcel prior to moving to sale.

The Council also discussed potential restrictions as suggested by the appraiser to be included in the appraisal of the property. The following restrictions were discussed:

1. The property will be developed as a commercial property - No residential use.
2. The property must be developed to generate sales tax for the city
3. The goal is to develop the property into a local restaurant with regional appeal possibly with outdoor seating in the lower areas along the creek.
4. Parking to be overbuilt by 50 spaces for inclusion as overflow parking for the downtown area and city events (City Council to consider if the city will participate in the cost of the 50 parking spaces-otherwise we need to split the property and build another parking lot ourselves).

Mayor Dormier requested that no action be taken after a consensus of the Council could not be reached. Mayor Dormier asked that the members of the Council prepare potential restrictions to be placed on the property and to be acted on at the next regular Council meeting.

No Action

ITEM 7. DISCUSSION/ACTION- Consideration of and action on a proposal from Mottla Architects, for the architectural and engineering services on the renovation in city hall.

Staff presented the Council with a proposal and cost for the renovation of City Hall which will include more workspace and renovations to the area next to the City Chambers. City Manager Woodall stated that the item was not in the current budget and therefore would require an amendment in the amount of \$11,700.00.

Place 5 Myers made a motion to approve a proposal from Mottla Architects, for the architectural and engineering services on the renovation in city hall.

Seconded by Place 1 Huber

No oppositions, no abstentions.

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

ITEM 8. DISCUSSION- Discuss a potential change to the City of Ovilla Ordinances to waive building permit fees for the replacement of existing fences.

Place 3 Griffin requested discussion from the City Council to waive the building permit fee if a fence is being replaced that would not change location nor would any of the original poles be replaced.

Council discussed the current fee schedule for fences including the permitting process. The Council did not wish to place the item on the next agenda for action.

Discussion Only No Action

ITEM 9. DISCUSSION- Discuss layout and cost for a potential downtown sidewalk project.

Public Works Director Kuykendall advised the council of the current layout needed for the downtown sidewalk project to move forward. Mr. Kuykendall explained that affidavits and easements would need to be in place prior to beginning the project. Mr. Kuykendall advised that Mr. Simms who had requested the city to continue the sidewalk project also desired the installation of taps for water and sewer service. Mr. Simms was not in attendance.

The Council asked Mr. Kuykendall to bring a complete estimate of all charges to the council for consideration.

Discussion Only No Action

ITEM 10. 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 Police Chief J. Bennett
 - January 2021 Police Activity and Staffing Updates
 - Racial Profiling Report
 - Update to Communication Systems for Dispatch of Police and Fire Departments
 - Update on Renovation of Police Department
- Fire Department Fire Chief B. Kennedy
 - January 2021 Fire Activity and Staffing Updates
 - Fire Marshall Inspection Reports
 - Winter Storm Update
- Public Works Department Public Works Director J. Kuykendall
 - January 2021 Public Works Activity and Staffing Updates
 - Total Water Efficiency
- Administration
 - Financials Finance Director S. Jungman
 - a) January 2021 Finance Activity
 - Administration City Manager P. Woodall
 - a) January 2021 Administrative Staffing Updates
 - City Secretary B. Taylor

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. 9:05 p.m.

ES ITEM 1. DISCUSSION – Closed Session - Called pursuant to Section §551.074 (1) of the Texas Government Code: Personnel Matters; to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

City Secretary, Bobbie Jo Taylor, (90-day evaluation)

ES ITEM 2. DISCUSSION - Closed Session called pursuant to Section §551.071 of the Texas Government Code. Consultation with City Attorney – Consultation with the city attorney on the following matters in which the attorney's duty of confidentiality under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the requirements of the Texas Open Meetings Act.

Ambulance Service Contract
Residential Attached Garages

B. Reconvene into Regular (Open) Session. 10:13 p.m.

ES ITEM 3. DISCUSSION/ACTION –Any action necessary or appropriate as a result of the closed executive session.

Mayor Pro Tem Hunt made a motion directing staff to prepare guidelines for an update of the ordinance to potentially allow front-facing garages behind porte-cochères.

Seconded by Place 5 Myers

No oppositions, no abstentions.

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

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

Place 3 Griffin requested that an ordinance update regarding faulty water meters be placed on the upcoming agenda.

ADJOURNMENT

PL1 Huber made a motion to adjourn. PL4 Mayor Pro Tem Hunt seconded the motion. There being no further business, Mayor Dormier adjourned the meeting at 10:15 p.m.

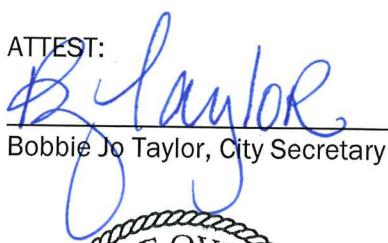
No oppositions, no abstentions.

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



Richard Dormier, Mayor

ATTEST:


Bobbie Jo Taylor, City Secretary

APPROVED: March 14, 2022



Richard Dormier, Mayor
Bobbie Jo Taylor, City Secretary
Rachel Huber, Place One
Dean Oberg, Place Two

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