

CITY OF OVILLA MINUTES
Monday, June 13, 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 6:32 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:

Kimberly Case
Doug Hunt
Brad Piland

Council Member, Place 1
Mayor Pro Tem, Place 4
Council Member, Place 5

Mayor Dormier noted that PL 1 Case, Mayor Pro Tem Hunt, and PL 5 Piland were in attendance, thus constituting a quorum. The city manager, city secretary, department directors, and various staff were also present.

CALL TO ORDER

PL 1 Case gave the invocation and PL5 Piland led the reciting of the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

ANNOUNCEMENTS, PROCLAMATIONS, PRESENTATIONS, COMMENTS

- Mayor Dormier addressed those in attendance explaining the guidelines for citizen comments and a newly placed timer that would allow speakers to view the time remaining when addressing the City Council.

CITIZEN COMMENTS:

- Jimmie Wade, 606 Creekview Circle, future plans for 708 W. Main St., requesting to be placed on a future agenda to discuss her property concept plan located on F.M. 664.
- Ozzie Molina, 224 Lariat Trail, code enforcement concerns on Lariat Trail.
- Ken Rarick, 109 Oak Forrest Lane, drainage concerns in Ovilla Parc.
- Dorinda Sims, 3790 Bryson Lane, introduction to the City Council as the new Republican Precinct Chair
- Dani Muckleroy, 608 Green Meadows, code enforcement concerns in Ovilla, support of the council acting as the Board of Adjustment, and building materials used in construction of fences.

CONSENT AGENDA –

- C1.** Financial Transactions over \$5000
- C2.** Minutes of the Regular Council Meeting May 9, 2022
- C3.** Minutes of the Special Council Meeting May 16, 2022
- C4.** Investment Report for January through May 16, 2022

Richard Dormier, Mayor
Kimberly Case, Place One
Dean Oberg, Place Two

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Doug Hunt, Place Four
David Griffin, Place Three
Brad Piland, Place Five

- C5. Consent Request and Notice to Proceed for Modification to Existing AT&T Equipment
 C6. Resolution No. 2022-06 Authorizing Continued Participation with the Atmos Steering Committee

Mayor Pro Tem Hunt motioned to approve all consent agenda items.

Seconded by PL1 Case

No oppositions, no abstentions.

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

REGULAR AGENDA

- ITEM 1. DISCUSSION** – Review of 2022 Ellis County Hazard Mitigation Plan with Ellis County Emergency Management Specialist Brian Davis.

Ellis County Emergency Management Specialist Brian Davis presented a draft of the Ellis County Hazard Mitigation Plan to the council. Mr. Davis advised that participating jurisdictions are currently reviewing the document to ensure it meets expectations and FEMA's planning requirements. Mr. Davis stated that this multi-jurisdictional plan is the first requirement for any jurisdiction to be eligible to receive FEMA-mitigation funding and is meant to be a guideline for the community's resiliency strategy.

- ITEM 2. DISCUSSION/ACTION** – Consideration of and action on a request from Frank Blanchard to refund \$900.00 paid to the City of Ovilla for annexation and zoning fees of the Stonewood Development.

The council discussed the request made by Mr. Frank Blanchard for a refund of the fees paid for the annexation and zoning of his property known as the Stonewood Development. Mayor Dormier advised that most cities do not refund fees associated with voluntary annexation and zoning petitions for properties.

PL1 Case motioned to deny the request from Frank Blanchard to refund \$900.00 paid to the City of Ovilla for annexation and zoning fees of the Stonewood Development.

Seconded by Mayor Pro Tem Hunt

No oppositions, no abstentions.

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

- ITEM 3. DISCUSSION/ACTION** – Receive annual report from staff and recommendation from the Board Review Committee to consider and act on volunteer board appointment and/or reappointment(s) to serve a term on the Planning and Zoning Commission and/or direct staff to solicit for new applicants.

Staff presented recommendations to the City Council for appointments to the Planning and Zoning Commission based on interviews by the council-appointed Board Review Committee.

Mayor Pro Tem Hunt motioned to appoint the following to the Planning and Zoning Commission with Place 7 being a one-year unexpired term.

Richard Dormier, Mayor
Kimberly Case, Place One
Dean Oberg, Place Two

Doug Hunt, Place Four
David Griffin, Place Three
Brad Piland, Place Five

Place 2: Rachel Huber
Place 4: Alan Whittaker
Place 6: Fred Hart
Place 7: Lindsey Pierce

Seconded by PL5 Piland
No oppositions, no abstentions.

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

- ITEM 4. DISCUSSION/ACTION** – Receive annual report from staff and recommendation from the Board Review Committee to consider and act on volunteer board appointment and/or reappointment(s) to serve a term on the Economic Development Corporation and/or direct staff to solicit for new applicants.

Staff presented recommendations to the City Council for appointments to the Economic Development Corporation based on interviews by the council-appointed Board Review Committee.

PL5 Piland motioned to appoint the following to the Economic Development Corporation with Place 6 being a one-year unexpired term.

Place 1: William Garner
Place 3: Michael Mohan
Place 5: Brandon Collett
Place 7: Barbara Turner
Place 6: Tana Jimenez

Mayor Pro Tem Hunt seconded the motion
No oppositions, no abstentions.

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

- ITEM 5. DISCUSSION/ACTION** - Consideration of and action on the City Council of the City of Ovilla serving as the Board of Adjustment as allowed by Section 211.008(g) of the Local Government Code.

Staff advised the council of concerns that have been raised by members of the public regarding the approval of recent variances. Staff also stated that meetings have been canceled in the past due to a lack of a quorum.

City Secretary Taylor advised that public hearings would need to be held per Section 211.008(g) of the Local Government Code prior to the adoption of an ordinance that would allow the City Council to serve as the Board of Adjustment.

PL1 Case motioned to direct staff to move forward with the publications of the public hearings and to draft an ordinance for the city council to review removing the current members of the Board of Adjustment and allowing the Council to serve as the Board of Adjustment.

Mayor Pro Tem Hunt seconded the motion.

*Richard Dormier, Mayor
Kimberly Case, Place One
Dean Oberg, Place Two*

*Doug Hunt, Place Four
David Griffin, Place Three
Brad Piland, Place Five*

No oppositions, no abstentions.

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

ITEM 6. DISCUSSION/ACTION - Consideration of and action on an Engineering Services Agreement by and between the City of Ovilla and Birkhoff, Hendricks, and Carter, L.L.P., to complete an analysis of the Water and Wastewater Impact Fee Study update, authorizing payment of engineering services and authorizing the mayor to execute said Agreement.

Mayor Pro Tem Hunt motioned to approve the presented Engineering Services Agreement by and between the City of Ovilla and Birkhoff, Hendricks, and Carter, L.L.P., to complete an analysis of the Water and Wastewater Impact Fee Study update, authorizing payment of engineering services and authorizing the mayor to execute said Agreement.

Seconded by PL1 Case

No oppositions, no abstentions.

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

ITEM 7. DISCUSSION/ACTION - Consideration of and action on the appointment of the Planning and Zoning Commission and one ad hoc member to serve as an Ovilla Impact Fee Advisory Committee to conduct the Water and Wastewater Impact Fee Study Update for the City of Ovilla in conjunction with Birkhoff, Hendricks, and Carter, LLP and direct staff as necessary.

PL 1 Case motioned to appoint the Planning and Zoning Commission and Windy Zabochnik (as the ad hoc member) to serve as an Ovilla Impact Fee Advisory Committee to conduct the Water and Wastewater Impact Fee Study Update for the City of Ovilla with the support of Birkhoff, Hendricks, and Carter, LLP.

Mayor Pro Tem Hunt seconded the motion.

No oppositions, no abstentions.

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

ITEM 8. DISCUSSION/ACTION - Consideration of and action on the police department renovation including the possibility of awarding a bid for the renovation or directing staff to move forward with drafting a new plan of action for the renovation project.

City Manager Woodall presented the Council with a bid from DSA Contractors in the amount of \$424,496.00, which was the only bid received for the Police Renovation. Ms. Woodall advised that city staff has held two separate bid openings and reached out to several contractors to solicit bids. The council discussed funding for the project and the removal of the retention room to bring the cost of the renovation down.

No action was taken at this time.

ITEM 9. DISCUSSION/ACTION – Consideration of and action on the fiscal year 2022/2023 City of Ovilla Budget Calendar.

The council reviewed the budget calendar as presented by Finance Director Sharon Jungman.

The council accepted the budget calendar with the following changes:

July 21st, 2022 workshop moved to July 18th, 2022.

ITEM 10. DISCUSSION – Consideration of and action on Ordinance No. 2022-10 of the City Council of the City of Ovilla, Texas, amending Ordinance No. 2021-17 providing for budget amendments to the fiscal year 2021-2022 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; providing for budget amendments to the general fund and the water & utilities fund; providing for the incorporation of premises; providing a savings clause; providing a cumulative repealer clause; providing for severability; providing for engrossment and enrollment; and providing an effective date.

Finance Director Sharon Jungman presented the budget amendments included in Ordinance No. 2022-10 and requested City Council approval.

Mayor Pro Tem Hunt motioned to approve Ordinance No. 2022-10 of the City Council of the City of Ovilla, Texas, amending Ordinance No. 2021-17 providing for budget amendments to the fiscal year 2021-2022 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; providing for budget amendments to the general fund and the water & utilities fund.

PL 1 Case seconded the motion.

No oppositions, no abstentions.

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

ITEM 11. DISCUSSION – Discussion an update on the planning and kick-off festivities for Heritage Day 2022.

Deputy City Secretary Emily Starkey presented an update to the council on the Heritage Day event. Ms. Starkey stated that the Heritage Day committee has met and discussed vendors, food trucks, maps of the site, and other activities.

Heritage Day Committee Chairman and Mayor Pro Tem Hunt stated he has received pledges for sponsorships in the amount of \$15,000.00 and is working with others who wish to be a sponsor as well.

ITEM 12. DISCUSSION/ACTION – Consideration of any item(s) pulled from the Consent Agenda for individual consideration and action.

None

*Richard Dormier, Mayor
Kimberly Case, Place One
Dean Oberg, Place Two*

*Doug Hunt, Place Four
David Griffin, Place Three
Brad Piland, Place Five*

STAFF REPORTS

- **Department Activity Reports / Discussion**
 - Police Department Police Chief J. Bennett
 - Police Activity and Staffing Updates
 - Fire Department Fire Chief B. Kennedy
 - Fire Activity and Staffing Updates
 - Public Works Department Public Works Director J. Kuykendall
 - Public Works Activity and Staffing Updates
 - Finance Department Finance Director S. Jungman
 - Finance Activity and Staffing Updates
 - Administration City Manager P. Woodall
 - Administration Activity and Staffing Updates City Secretary B. Taylor

None

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. 7:57 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 Manager

B. *Convene into Regular (Open) Session. 8:24 p.m.*

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

No Action

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

Mayor Dormier requested that Ms. Jimmie Wade be placed on the next agenda to discuss her upcoming concept plan with the council, and an update on the code enforcement concerns on Lariat Dr.

*Richard Dormier, Mayor
Kimberly Case, Place One
Dean Oberg, Place Two*

*Doug Hunt, Place Four
David Griffin, Place Three
Brad Piland, Place Five*

PL 1 Case requested that a special meeting be held to act on the police department renovation if staff were able to receive an update from the contractor.

ADJOURNMENT


Mayor Pro Tem Hunt made a motion to adjourn.

PL5 Piland seconded the motion.

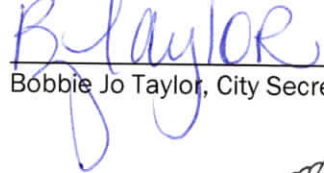
There being no further business, Mayor Dormier adjourned the meeting at 8:39 p.m.

No oppositions, no abstentions.

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


Richard Dormier, Mayor

ATTEST:


Bobbie Jo Taylor, City Secretary

APPROVED: July 11, 2022



Richard Dormier, Mayor
Kimberly Case, Place One
Dean Oberg, Place Two

Doug Hunt, Place Four
David Griffin, Place Three
Brad Piland, Place Five