

City of *OVILLA* City Council

Kimberly Case, Place One
Dean Oberg, Place Two

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

David Griffin, Place Three
Brad Piland, Place Five

Monday, November 14, 2022
105 S. Cockrell Hill Road, Ovilla, TX 75154
6:30 P.M.

Council Chamber Room

AGENDA

NOTICE is hereby given of a Regular Meeting of the City Council of the City of Ovilla, to be held on **Monday, November 14, 2022, at 6:30 P.M.** in the Ovilla Municipal Building, Council Chamber Room, 105 S. Cockrell Hill Road, Ovilla, Texas, 75154, for the purpose of considering the following items:

I. CALL TO ORDER

- Invocation – led by PL3 Griffin
- U.S. Pledge of Allegiance and TX Pledge led by PL5 Piland

II. COMMENTS, PRESENTATIONS, ANNOUNCEMENTS, PROCLAMATIONS

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 citizens' 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. PUBLIC HEARING

- P1** To receive public comment on Ordinance No. 2022-18 amending Chapter 14 (Zoning) of the Code of Ordinances of the City Of Ovilla; amending the Table of Land Uses to provide for bed and breakfast facilities; providing a definition of "Bed And Breakfast Facility;" providing an amended definition of "Hotel/Motel;"

a. PRESENTATION – Review by staff.

b. PUBLIC HEARING - Receive comments from those wishing to speak.

V. 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 October 11, 2022
- C3.** Annual renewal of ESD #2 – Interlocal Services Agreement FY 2022-2023
- C4.** Annual renewal of Interlocal Agreement between Dallas County and the City of Ovilla pertaining to road and bridge transportation-related improvements or maintenance on or about certain designated roadways situated within the territorial limits of the City of Ovilla.
- C5.** Annual renewal of Interlocal Agreement between Ellis County and the City of Ovilla for road and street maintenance
- C6.** Resolution No. 2022-10 A resolution of the City of Ovilla approving the sale of land to the Texas Department of Transportation (Tx-Dot)
- C7.** Investment Report for July-September 2022

VI. REGULAR AGENDA

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- ITEM 1.** **DISCUSSION** - Receive a presentation from Community Waste Disposal representative Jason Roemer on the annual review, proposed annual adjustment, and a proposed contract amendment to allow for compressed natural gas (CNG) vehicles.
- ITEM 2.** **DISCUSSION/ACTION** – Consideration of and action on the annual Community Waste Disposal rate adjustment and direct staff to return with an amendment to Section 4 of the current contract, amending the system chart and converting to CNG models.
- ITEM 3.** **DISCUSSION/ACTION** – Consideration of and action on the financial impact to the city for the CWD Annual CPI rate adjustment.
- ITEM 4.** **DISCUSSION/ACTION** – Consideration of and action on the recommendation from the Planning and Zoning Commission on Ordinance No. 2022-18 amending Chapter 14 (Zoning) of the Code of Ordinances of the City of Ovilla; amending the Table of Land Uses to provide for bed and breakfast facilities; providing a definition of “Bed And Breakfast Facility;” providing an amended definition of “Hotel/Motel;” providing a savings clause; providing a severance clause; providing for publication; and providing an effective date.
- ITEM 5.** **DISCUSSION/ACTION** – Consideration of and action on Ordinance No. 2022-21 an Ordinance of the City of Ovilla, Texas, amending Chapter 13, Article 13.03, Division 2, Section 13.03.045 and Appendix Article a7.000, of the Code of Ordinances of the City of Ovilla; providing penalties for damaging or tampering with water meters; providing water and wastewater tap fees; providing water meter fees; providing a savings clause; providing a severance clause; providing for incorporation into the Code of Ordinances; providing for publication; and providing an effective date.
- ITEM 6.** **DISCUSSION/ACTION** – Consideration of and action on Ordinance No. 2022-22 an ordinance of the City of Ovilla, Texas, amending Appendix A (fee schedule), Article A4.000, Section A4.001(1)(D) of the Code of Ordinances of the City of Ovilla; providing a fee for HVAC installation inspections; providing a savings clause; providing a severance clause; providing for incorporation into the code of ordinances; providing for publication; and providing an effective date.
- ITEM 7.** **DISCUSSION/ACTION** – Consideration of and action on a recommendation from the Planning and Zoning Commission on a request from Developer Steve Choe and Engineer Glen Kistenmacher to grant an extension on the Forest Creek Estates Preliminary Plat.
- ITEM 8.** **DISCUSSION** – Discuss a possible amendment to the Code of Ordinances to provide additional regulations for peddlers within the City of Ovilla including but not limited to signage addressing peddlers in the city and a mandatory safety vest requirement for all peddlers, as requested by Place 4, Mayor Pro Tem Hunt.
- ITEM 9.** **DISCUSSION** – Discuss the Annual Christmas Tree Lighting event to be held at Heritage Park on Thursday, December 1, 2022.
- ITEM 10.** **DISCUSSION/ACTION** – Consideration of and action on Ordinance No. 2022-23 of the City of Ovilla, Texas amending Appendix A, Article A7.000, Section A7.003 of the Code of Ordinances of the City of Ovilla; establishing monthly water and wastewater rates for residential and nonresidential customers; providing a savings clause; providing a severance clause; providing incorporation into the Ovilla Code of Ordinances; providing an effective date; and providing for publication.

ITEM 11. DISCUSSION/ACTION – Consideration of any item(s) pulled from the Consent Agenda for individual consideration and action.

VII. STAFF REPORTS

• **Department Activity Reports / Discussion**

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| • 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 |

VIII. 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.

ES ITEM 1. DISCUSSION/ACTION – 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.

Finance Director

City Manager

B. Reconvene into Regular (Open) Session

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

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

X. ADJOURNMENT

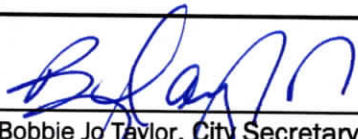
THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF November 14, 2022, Regular City Council Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, www.cityofovilla.org, on the 10th day of November 2022, prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code. A quorum of the governmental body will be physically present at the location noticed above. Pursuant to Tex. Gov't Code 551.127, one or more members of the governing body may appear via videoconference call.

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Bobbie Jo Taylor, City Secretary



DATE OF POSTING: 11/10/22 TIME: 3:20 am/pm
DATE TAKEN DOWN: _____ TIME: _____ am/pm

This facility is ADA compliant. If you plan to attend this public meeting and have a disability that requires special arrangements, please call 972-617-7262 at least 48 hours in advance. Reasonable accommodation will be made to assist your needs. 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.

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.