

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, March 13, 2023 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, March 13, 2023**, 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 PL1 Case
- U.S. Pledge of Allegiance and TX Pledge led by PL2 Oberg

II. COMMENTS, PRESENTATIONS, ANNOUNCEMENTS, PROCLAMATIONS

- Annual Clean Up Day April 22 and Hazardous Waste April 29
- Service League Presentation to the Fire and Police Department's

III. CITIZEN'S 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. 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 \$5,000
- C2. Minutes of the Regular Council Meeting February 13, 2023
- C3. Certification of Unopposed Candidates
- C4. 2023 Ellis County Joint Election Contract

V. REGULAR AGENDA

- ITEM 1. DISCUSSION/ACTION** – Consideration of and action on Resolution No. R2023-02, a Resolution of the City Council of the City of Ovilla, Texas accepting the Annual Financial Audit report for the year ended September 30, 2022, prepared and presented by Forvis, LLP.
- ITEM 2. DISCUSSION/ACTION** – Consideration of and action on Resolution No. R2023-03, a Resolution authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation.
- ITEM 3. DISCUSSION/ACTION** – Consideration of and action on Resolution No. R2023-04, a Resolution of the City Council of the City of Ovilla, Texas adopting the 2022 Ellis County Hazard Mitigation Plan.

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- ITEM 4. DISCUSSION/ACTION** – Consideration of and action on Ordinance No. 2023-06, an Ordinance of the City of Ovilla, Texas, declaring unopposed candidates in the May 06, 2023, General City Election elected to office; canceling the General Election; providing a savings clause; providing a severability clause; and providing an effective date.
- ITEM 5. DISCUSSION/ACTION** – Consideration of and action on Ordinance No. 2023-07, an Ordinance of the City of Ovilla, Texas, adopting the 2018 International Fire Code with 2018 North Central Texas Council of Governments (“COG”) amendments, the 2018 International Building Code with 2018 COG amendments, the 2018 International Mechanical Code with 2018 COG amendments, the 2018 International Residential Code with 2018 COG amendments, the 2018 International Plumbing Code with 2018 COG amendments, the 2018 International Fuel Gas Code with 2018 COG amendments, the 2018 international energy conservation code with 2018 COG amendments, the 2018 International Swimming Pool and Spa Code with 2018 COG amendments, and the 2017 National Electrical Code with 2017 COG amendments; repealing all prior editions of such codes previously adopted by the City of Ovilla; providing for penalties for violations; 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 Resolution No. R2023 –05, a Resolution of the City Council of the City of Ovilla, Texas, adopting a policy and criteria for considering requests for the creation of Municipal Utility Districts.
- ITEM 7. DISCUSSION/ACTION** – Consideration of and action on Resolution No. R2023-06, a Resolution of the City of Ovilla Texas, Authorizing Professional Service Provider(s) selection for American Rescue Plan Act (ARP ACT) Program(s) for Grant Administration Services.
- ITEM 8. DISCUSSION/ACTION** – Consideration of and action on Resolution No. R2023-07, a Resolution of the City of Ovilla Texas, Authorizing Professional Service Provider(s) selection for American Rescue Plan Act (ARP ACT) Program(s) for Professional Engineering Services
- ITEM 9. DISCUSSION/ACTION** – Consideration of and action on Resolution No. R2023-08, a Resolution approving the filing of the Fire Department SAFER Grant and authorizing the City Manager to execute the application documents.
- ITEM 10. DISCUSSION/ACTION** – Consideration of and action on removing Pamela Woodall as a signatory on the City of Ovilla’s bank accounts.
- ITEM 11. DISCUSSION/ACTION** – Consideration of any item(s) pulled from the Consent Agenda for individual consideration and action.

VI. RECEIVE DEPARTMENTAL REPORTS – NO ACTION OR DISCUSSION

• Departmental Reports

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|---------------------------|--|
| • Police Department | Police Chief J. Bennett |
| • Fire Department | Fire Chief B. Kennedy |
| • Public Works Department | Public Works Director J. Kuykendall |
| • Finance Department | Finance Director E. Scott |
| • Administration | City Manager D. Henley
City Secretary B. Taylor |

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VII. 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 – Closed Session – Called pursuant to:

Section 551.071 (2) of the Texas Government Code: Consultation with Attorney: To seek advice from the City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

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.

Deputy City Secretary
City Manager

B. Adjourn from the executive session and reconvene into the open meeting.

VIII. 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 March 13, 2023, 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 March 2023, 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.


Cathy Gaeta, Planning and Development Coordinator

DATE OF POSTING:
DATE TAKEN DOWN:

3/10/23

TIME: 8:30

am/pm
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 voice recording of the meeting will be made and will be available to the public in accordance with the Open Meetings Act upon written request.

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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.