

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, May 8, 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, May 8, 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 PL3 Griffin
- U.S. Pledge of Allegiance and TX Pledge - led PL5 Piland

II. COMMENTS, PRESENTATIONS, ANNOUNCEMENTS, PROCLAMATIONS

- Canvassing City of Ovilla Election Results May 16, 2023, 5:30 p.m.
- National Public Works Week May 21st through May 27th, 2023
- National Police Week May 14th through May 21st, 2023

CITY MANAGER UPDATE:

- City of Ovilla Trash-Off Annual Clean Up Day April 22 and Green Event April 29
- SIB Loan Application
- May 6, 2023, Elections
- Meeting with new City Attorney
- ARP Fund Projects

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 April 10, 2023
- C3.** Investment Report for January through March 2023

V. REGULAR AGENDA

- ITEM 1. DISCUSSION** – Receive updates from staff and hold discussions regarding code enforcement areas of concern in the City of Ovilla as requested by Mayor Pro Tem Hunt.
- ITEM 2. DISCUSSION** – Discuss City of Ovilla Code of Ordinances Section 3.06.005 Schedule of Temporary Signs relating to banner signs on commercial property as requested by Place 1 Case.

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- ITEM 3. DISCUSSION/ACTION** – Consideration of and action on Ordinance No. 2023-08 an Ordinance of the City of Ovilla, Texas, repealing and replacing appendix “A”, Article A2.000, Section A2.009, of the Code of Ordinances of the City of Ovilla; removing the damage deposit for baseball and softball fields; providing a savings clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication.
- ITEM 4. DISCUSSION/ACTION** – Consideration of and action on a possible amendment to the City of Ovilla Code of Ordinances Section 3.06.003 (f) and related sections, regarding the placement of political signs, potentially implementing stronger regulations on political signs placed on city property as requested by Mayor Dormier.
- ITEM 5. DISCUSSION/ACTION** – Consideration of and action to order a public hearing to take place on Monday, July 10, 2023, at 6:30 p.m., during the regularly scheduled City Council meeting to receive public comment on the Land Use Assumptions, Capital Improvement Plan, and Water and Sewer Impact Fee Updates.
- ITEM 6. DISCUSSION/ACTION** – Consideration of and action on Resolution No. R2023-09, a Resolution by the City Council of the City of Ovilla declaring miscellaneous equipment to be surplus property and authorizing the city manager to dispose of the property pursuant to State law and in a manner which is beneficial to the City of Ovilla.
- ITEM 7. DISCUSSION/ACTION** – Consideration of and action on Ordinance No. 2023-09, an ordinance of the City Council of the City of Ovilla, Texas, amending Ordinance No. 2022-15; providing for budget amendments to the Fiscal Year 2022-2023 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 and utilities fund; providing for incorporation of premises; providing a cumulative repealer clause, providing for severability; providing a savings clause; providing for engrossment and enrollment, providing a publication clause; and providing an effective date.
- ITEM 8. 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 |
| • City Secretary | City Secretary B. Taylor |

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).

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- A. In accordance with Texas Government Code, Section 551.001. et seq., the City Council will recess into Executive Session (closed meeting) to discuss the following:

Section 551.071 (1) and (2), of the Texas Government Code: Consultation with Attorney: Consultation with the City's Attorney to seek the advice of its attorney about pending or contemplated litigation or a settlement offer, or 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 the Texas Open Meetings Act: Complaints and Claims Management

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 David Henley (90-Day Evaluation)

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


VIII. **CONSIDERATION AND ACTION NECESSARY OR APPROPRIATE ON THE CLOSED EXECUTIVE ITEMS.**

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 May 8, 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 5th day of May 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.




Bobbie Jo Taylor, City Secretary
TRMC, OMC

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.

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.

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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.