

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, June 12, 2023

105 S. Cockrell Hill Road, Ovilla, TX 75154
6:30 P.M.

Council Chamber Room

AMENDED AGENDA

NOTICE is hereby given of a Regular Meeting of the City Council of the City of Ovilla, to be held on **Monday, June 12, 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 PL4 Hunt*
- U.S. Pledge of Allegiance and TX Pledge - *led PL1 Case*

II. COMMENTS, PRESENTATIONS, ANNOUNCEMENTS, PROCLAMATIONS

- None

CITY MANAGER UPDATE:

- Code Enforcement Activity
- Development Activity
- Solid Waste Request for Proposals

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 May 8, 2023
- C3. Minutes of the Special Council Meeting May 16, 2023
- C4. Fiscal Year 2023/2024 Budget Calendar

V. REGULAR AGENDA

- ITEM 1. **DISCUSSION/ACTION** – Consideration of and action on nominations and the appointment of the Mayor Pro Tem.
- ITEM 2. **DISCUSSION/ACTION** – Consideration of and action on Ordinance No. 2023-10, an ordinance of the City of Ovilla, Texas, amending Chapter 3, Article 3.06, Section 3.06.005 of the Code of Ordinances of the City of Ovilla; amending the number of feather banners; providing a savings

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clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication.

ITEM 3. **DISCUSSION/ACTION** – Consideration of and action on ratifying the decision to extend the Depository Services Contract with Prosperity Bank for an additional year from June 1, 2023, through May 31, 2024.

ITEM 4. **DISCUSSION/ACTION** – Consideration of and action on Resolution No. R2023-12, a resolution of the City Council of the City of Ovilla, Texas, authorizing the execution of a State Infrastructure Bank loan agreement; authorizing David D. Henley, City Manager, to act on behalf of the City of Ovilla, Texas in all matters relating to the execution of the agreement; and providing an effective date.

ITEM 5. **DISCUSSION/ACTION** – Consideration of and action on the approval of the City of Ovilla American Rescue Plan Act/Federal Procurement Policies and Procedures and authorizing David D. Henley, City Manager, to execute the policy and the policy and procedure statement.

ITEM 7. **DISCUSSION** – Discuss traffic concerns in the City of Ovilla including the possibility of installing traffic calming devices (speed bumps) in neighborhoods with a high volume of daily traffic, and speed limit regulations.

ITEM 8. **DISCUSSION** – Discuss the possible sale, conveyance, or exchange of 693 J McNamara 1.97 Acres, 693 J McNamara 0.46 Acres, and 693 J McNamara 0.43 Acres.

ITEM 9. **DISCUSSION** – Discuss city council priorities for the 2023/2024 Fiscal Year Budget.

ITEM 10. **DISCUSSION/ACTION** – Consideration of and action on Ordinance No. 2023-11, an ordinance of the City of Ovilla, Texas, amending Ordinance No. 2023-07, adopting the 2018 International Fire Code with North Central Texas Council of Governments (“COG”) amendments - Option A, to adopt Appendices B, C, D, and I; providing for the incorporation of premises; providing for amendment to Section 2; providing a cumulative repealer clause; providing a savings clause; providing a severability clause; providing for a penalty; and providing for an effective date.

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

ITEM 12. **DISCUSSION/ACTION** – Consideration of and action on Ordinance No. 2023-12, an ordinance creating the office of City Secretary; providing for the appointment, supervision and removal of the City Secretary; establishing the principal duties and responsibilities of the City Secretary; providing for a bond; repealing conflicting ordinances or portions of ordinances; providing for severability; providing a savings clause; and setting the effective date.

ITEM 13. **DISCUSSION/ACTION** – Consideration of and action on Resolution No. R2023-13, a resolution of the City Council of the City of Ovilla, Texas, amending Resolution No. R2022-09 to revise the City of Ovilla Organizational Chart; and providing an effective date.

VI. RECEIVE DEPARTMENTAL REPORTS – NO ACTION OR DISCUSSION

- **Departmental Reports**
 - Police Department
 - Fire Department

Police Chief J. Bennett
Fire Chief B. Kennedy

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- Public Works Department
- Finance Department
- City Secretary

Public Works Director J. Kuykendall
Finance Director E. Scott
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).

1. § 551.071: Consultation with 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 the Texas Open Meetings Act regarding: (i) City Manager; (ii) City Secretary
2. §551.074: to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, or to hear a complaint or charge against an officer or employee: (i) City Manager; (ii) City Secretary

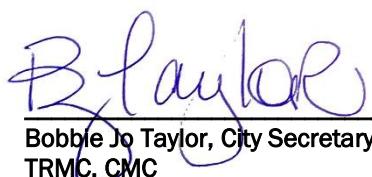
VIII. RECONVENE INTO OPEN SESSION - In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Open Session to consider action, if any, on matters discussed in Executive Session.

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 June 12, 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 9th day of June 2023, prior to 6:30 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, CMC

The agenda was amended 6.9.2023 to remove Item 6. Discuss the possibility of declaring the City of Ovilla as a Sanctuary City for the Unborn as requested by Place 1 Case. Items 7-13 were not issued new item numbers in order for the numbers to be reflected correctly in the agenda packet.

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

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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.

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.