

City of OVILLE City Council Agenda

Ralph G. Hall, Place One

Larry Stevenson, Place Two

David Griffin, Place Three

Richard Dormier, Mayor

Doug Hunt, Place Four

Dean Oberg/Place Five

Cyndy Powell, City Administrator

105 S. Cockrell Hill Road, Ovilla, TX 75154

Tuesday, November 12, 2013

7:00 P.M.

Council Chamber Room

Pursuant to the provisions of Chapter 551 VTCA Government Code, NOTICE is hereby given of a Regular Meeting of the City Council of the City of Ovilla, to be held on Tuesday, November 12, 2013 at 7:00 P.M. in the City Hall Council Chamber Room, 105 S. Cockrell Hill Road, Ovilla, Texas, 75154, for the purpose of considering the following items.

I. CALL TO ORDER

- Invocation
- Pledge of Allegiance

II. COMMENTS, PRESENTATIONS, ANNOUNCEMENTS & REPORTS

- Citizen 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 citizen's 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.

- Department Activity Reports / Discussion

• Police Department	Police Chief M. Moon
○ Monthly Report	
• Fire Department	Fire Chief P. Brancato
○ Monthly Report	
• Public Works	Public Works Director B. Piland
○ Monthly Report	
• Finance Department	City Accountant S. Jungman
○ Committed Fund Balance Report	
• Administration	City Administrator C. Powell
○ Bi-weekly update activity reports	
○ Monthly Municipal Court Report	
○ Monthly Reports	City Secretary P. Woodall Code Enforcement/Animal Control, M. Dooly

III. 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.

- Financial Transactions
- Quarterly Investment Report
- Annual Investment Report
- Minutes of the October 15, 2013 Council Meeting

IV. REGULAR AGENDA

ITEM 1. DISCUSSION/ACTION –Consideration of a Meritorious Exception to Ovilla Road Baptist Church for a sign permit.

City of Ovilla City Council Agenda

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ITEM 2. *DISCUSSION/ACTION* – Receive recommendation from the Planning & Zoning Commission to consider proposed Ordinance 2013-030, amending Chapter 6, Article 6.04.001 of the Ovilla Code of Ordinances providing exceptions to the regulation on the maximum height of weeds, grass and other objectionable material.

ITEM 3. *DISCUSSION/ACTION* – Consider an extension of the contract up to 10 hours with Texas First Group, retaining the services of Ms Jacqueline Lee, to provide consultation services to all areas related to Human Resources.

ITEM 4. *DISCUSSION/ACTION* – Consider scheduling a workshop on December 09, 2013, 6:00 p.m. to review the proposed revisions to Ovilla Employee Personnel Policies Handbook.

ITEM 5. *DISCUSSION/ACTION* – Consider scheduling a workshop on January 13, 2014 at 6:00 p.m., for Council and City boards to receive training on the TX Open Meetings Act from City's Legal Counsel Ron MacFarlane.

ITEM 6. *DISCUSSION/ACTION* – Consider approval of Resolution 2013-014 of the City of Ovilla, (Dallas County), casting its vote for the fourth member of the Board of Directors of the Dallas Central Appraisal District.

ITEM 7. *DISCUSSION/ACTION* – Consider appointments/reappointments to the Municipal Development District.

ITEM 8. *DISCUSSION/ACTION* – Consider an appointment to the Board of Adjustment to fill an alternate member vacancy.

ITEM 9. *DISCUSSION/ACTION* – Discuss and consider interpretation of the City's Letter of Understanding with the City Administrator pertaining to vacation and take action as necessary.

V. 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).

ITEM 10. *DISCUSSION/ACTION* – The City Council will meet in a closed session pursuant to Section 551.071 of the Texas Government Code to consult with, and seek advice from, the City Attorney on a matter in which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of the Texas Open Meetings Act regarding variances to the City's Building Standards Ordinance.

**COUNCIL WILL RECONVENE INTO OPEN SESSION, AND TAKE ACTION
NECESSARY PURSUANT TO EXECUTIVE SESSION, IF NEEDED.**

VI. REQUESTS FOR FUTURE AGENDA ITEMS

City of OVILLA City Council Agenda

Ralph G. Hall, Place One
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Richard Dormier, Mayor

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Dean Oberg/Place Five
Cyndy Powell, City Administrator

VII. ADJOURNMENT

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the November 12, 2013 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 8th day of November 2013 prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code.



Pamela Woodall, City Secretary

DATE OF POSTING: 11-8-13 TIME: 10:00 am/pm
DATE TAKEN DOWN: _____ TIME: _____ am/pm

IF YOU OR YOUR REPRESENTATIVE HAVE A DISABILITY THAT REQUIRES SPECIAL ARRANGEMENTS AND YOU PLAN TO ATTEND THIS PUBLIC MEETING, PLEASE CALL THE CITY SECRETARY AT 972-617-7262 WITHIN 24 HOURS OF THE MEETING. REASONABLE ACCOMMODATIONS WILL BE MADE TO MEET YOUR NEEDS AT THE MEETING. PLEASE SILENCE ALL PAGERS, CELL PHONES & OTHER ELECTRONIC EQUIPMENT WHILE THE CITY COUNCIL MEETING IS IN SESSION.

OVILLA POLICE DEPARTMENT
 105 S Cockrell Hill Rd
 Ovilla, TX 75154
 (972) 617-7262

To: Mayor Richard Dormier
 Ovilla City Council
 Cyndy Powell

Subject: Police Department Monthly Activity Report

Calls For Service	Oct 2013	Oct 2013 YTD	Oct 2012	Oct 2012 YTD
Accident	2	24	1	22
Alarms	12	154	2	147
Arrest	0	31	1	19
Assault	1	4	0	3
Assists: Agency/Unit: 15 EMS/Fire: 4 Motorist: 0	21	254	29	327
Building / House Security Check	877	12797	1532	15021
Burglary	1	7	0	3
Burglary of Motor Vehicle	1	2	0	7
Criminal Mischief	1	8	1	11
Disturbance	3	74	5	56
Neighborhood Check	1200	16996	1787	16923
Other Calls for Service	129	1238	87	864
Suspicious Person	7	59	4	61
Suspicious Vehicle	12	81	7	85
Theft	6	15	6	20
Traffic Assignment	1	162	14	429
TOTAL CALLS FOR SERVICE	2274	31906	3476	33998

Reserve Officer Hours	64	646.25	68	236.5
Average Response Time (Minutes)	4.5	4.105	5	4.45
Traffic Stop (Warnings)	39	330	28	485
Traffic Stop (Citations)	34	341	27	338
Total Citations & Warnings Combined	73	671	55	323
PERCENT OF STOPS RECEIVING CITATIONS	46.6	50.8	49.1	41.1

OVILLA PD VEHICLE MILEAGE

May-13				June-13			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100	68127	69954	1827	100	69954	7145	1791
101	126330	126331	1	101	126331	126362	31
102	70380	71575	1195	102	71575	72655	1080
103	73463	75182	1719	103	75182	76778	1596
104	45816	46985	1169	104	46985	48036	1051
105	13823	15558	1735	105	15558	17617	2059
July-13				August-13			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100	69954	74411	4457	100	74411	75946	1535
101	126331	126370	39	101	126370	126719	349
102	71575	73156	1581	102	73156	74041	885
103	75182	78862	3680	103	78862	80643	1781
104	46985	48443	1458	104	48443	48571	128
105	15558	20120	4562	105	20120	22490	2370
September-13		October-13					
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100	75946	77210	1264	100	77210	78205.2	995.2
101	126719	126743	24	101	126743	DOWN	DOWN
102	74041	74855	814	102	74855	75838	983
103	80643	82646	2003	103	82646	83965	1319
104	48571	48951	380	104	48951	49418	467
105	22490	24607	2117	105	24607	26926	2319
November-13		December-13					
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100	100	0	100	100	0	0	0
101	101	0	101	101	0	0	0
102	102	0	102	102	0	0	0
103	103	0	103	103	0	0	0
104	104	0	104	104	0	0	0
105	105	0	105	105	0	0	0
January-14		February-14					
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100	0	0	100	100	0	0	0
101	0	0	101	101	0	0	0
102	0	0	102	102	0	0	0
103	0	0	103	103	0	0	0
104	0	0	104	104	0	0	0
105	0	0	105	105	0	0	0

October 2013

October 2013

	Bennett	Carr	Fullerton	Garcia	Guerrero	Knight	Kretlow	Ortegon	TOTAL
9-1-1 Hang Up							1		1
Aband. Vehicle									0
Accidents		1					1		2
Alarms									0
Alarms - FALSE	3	5	2			1		1	12
Animal Complaints	1		2				1	1	5
Arrests									0
Assaults								1	1
Assist Agency/Unit	2	2	3				5	3	15
Assist EMS / Fire						1	3		4
Assist Motorist		2							2
Bldg / House Check	41		58			120	468	190	877
Burglary		1							1
Burglary Motor Veh								1	1
Criminal Mischief								1	1
DWI									0
Deceased Person									0
Disturbance	1		1				1		3
Family Violence									0
Found Property									0
Intox Person									0
Missing Person									0
Neighborhood Check	105		142			120	540	293	1200
Open Door / Window						1		7	8
OTHER Calls	99		6			7	5	12	129
Pursuit / Chase									0
Rdwy Blocked			1						1
Reckless Driver	2	2				2			6
Robbery									0
Runaway									0
Suspicious Person		1	2			1		3	7
Suspicious Vehicle			4			1		7	12
Theft	3		2					1	6
Traffic Assignment						1			1
Welfare Concern		2	1			2		1	6
TOTAL	257	16	224	0	0	257	1025	522	2301

Citations		6	14			7	1	6	34
Warnings		17	9			5	2	6	39
Reports	21	2	6			1	2	6	38
TOTAL	21	25	29	0	0	13	5	18	111

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Day off	Training
911/HANG-UP																															0	Holiday	
ABAND. VEHICLE																															0	Sickday	
ACCIDENTS																															0	Vacation	
AGNCY/UNIT ASST.	1																														1		
ALARM																															0		
ALARM - FALSE																															1		
ANIMAL COMPL.																															1		
ARRESTS																															0		
ASSAULTS																															1		
BMV																															3		
BLD/HOUSE	✓	2	2																												1		
BURGLARY																															0		
CRIM MISCHIEF																															0		
D.W.I.																															0		
DECEASED PRES.																															0		
DISTURBANCE																															1		
EMS / FIRE																															0		
FAMILY VIOL.																															0		
FOUND PROPERTY																															0		
INTOX. PERSON																															0		
MISSING PRESON																															0		
MOTORIST ASST.																															0		
NEIGHBORHOOD	✓	5	5																												0		
OPEN DOOR/WIN																															0		
OTHER	3	3																													0		
PURSUIT/CHASE																															0		
RDWY. BLOCKED																															105		
RECK. DRIVER		1																													0		
ROBBERY																															0		
RUNAWAY																															0		
SUSP. PERSON																															0		
SUSP. VEHICLE																															0		
THEFT			1																												0		
TRAFFIC																															0		
WELF. CONCERN																															0		
CITATIONS																															0		
WARNINGS																															0		
REPORTS																															21		

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		Day off	Training
911/HANG-UP																																		
ABAND. VEHICLE																																Holiday		
ACCIDENTS																																1	Sickday	
AGNCY/UNIT ASST.	1																															2	Vacation	
ALARM - FALSE																																1	2	5
ANIMAL COMPL.																																		
ARRESTS																																		
ASSAULTS																																		
BMW																																		
BLD/HOUSE	✓																																	
BURGLARY																																1		
CRIM MISCHIEF																																		
D.W.I.																																		
DECEASED PRES.																																		
DISTURBANCE																																		
EMS / FIRE																																		
FAMILY VIOL.																																		
FOUND PROPERTY																																		
INTOX. PERSON																																		
MISSING PRESON																																		
MOTORIST ASST.																																1		
NEIGHBORHOOD	✓																																	
OPEN DOOR/WIN																																		
OTHER																																		
PURSUIT/ CHASE																																		
RDWY. BLOCKED																																1		
RECK. DRIVER	1																															2		
ROBBERY																																		
RUNAWAY																																		
SUSP. PERSON																																		
SUSP. VEHICLE																																		
THEFT																																1		
TRAFFIC																																		
WELF. CONCERN																																1	1	2
CITATIONS	1	1																																
WARNINGS	1																															6	2	6
REPORTS	1																															1	2	17

Monthly Activity Report

Date_October_2013

Monthly Activity Report

Date_October 2013_

Monthly Activity Report

Date October 2013

OVILLA

Type of Alarm Report (Summary)

Alarm Date Between {10/01/2013} And {10/31/2013}

Type of Alarm	Count	Percent
* < Not Reported >	2	2.81%
AL Automatic Alarm (Fire/Medical)	5	7.04%
BF Brush/Grass Fire	1	1.40%
CB Controlled Burning	1	1.40%
EM Emergency Medical Service	42	59.15%
IV Investigation of Smoke/Odor	2	2.81%
MV MVC	5	7.04%
OT Other Fire/Incident	3	4.22%
RE Air-Light-Rehab	2	2.81%
SF Structure Fire	8	11.26%

Total Incident Count: 71

OVILLA

Average Response Time by District/Incident Type

**Alarm Date Between {10/01/2013} And {10/31/2013}
and District = "OVILLA"**

OVILLA City of Ovilla

Incident	Alarm Date & Time	Arrival Date & Time	Stn	Shift	Response Time
311 Medical assist, assist EMS crew					
13-3000504	10/01/2013 14:11:49	10/01/2013 14:21:43	1	B	00:09:54
13-3000507	10/02/2013 17:17:29	10/02/2013 17:22:14	1	C	00:04:45
13-3000508	10/02/2013 17:41:56	10/02/2013 17:44:10	1	C	00:02:14
13-3000521	10/10/2013 18:02:51	10/10/2013 18:06:55	1	B	00:04:04
13-3000525	10/13/2013 04:42:58	10/13/2013 04:50:34	1	A	00:07:36
13-0000555	10/23/2013 23:39:00	10/23/2013 23:39:36	1	C	00:00:36
Average Response Time for District/Incident Type					00:04:52
320 Emergency medical service, other					
13-3000538	10/18/2013 13:30:19	10/18/2013 13:35:00	1	A	00:04:41
13-3000541	10/18/2013 17:27:22	10/18/2013 17:31:52	1	A	00:04:30
13-3000556	10/24/2013 08:49:07	10/24/2013 08:51:45	1	A	00:02:38
13-3000557	10/24/2013 10:36:33	10/24/2013 10:43:32	1	A	00:06:59
Average Response Time for District/Incident Type					00:04:42
321 EMS call, excluding vehicle accident with injury					
13-3000510	10/04/2013 09:26:34	10/04/2013 09:32:03	1	B	00:05:29
13-3000512	10/05/2013 13:46:45	10/05/2013 13:49:27	1	C	00:02:42
13-3000526	10/13/2013 19:53:13	10/13/2013 19:59:37	1	A	00:06:24
13-3000544	10/19/2013 23:38:28	10/19/2013 23:47:30	1	B	00:09:02
13-3000546	10/20/2013 17:55:16	10/20/2013 18:00:41	1	C	00:05:25
13-3000559	10/25/2013 12:24:51	10/25/2013 12:30:58	1	B	00:06:07
Average Response Time for District/Incident Type					00:05:52
322 Motor vehicle accident with injuries					
13-3000561	10/25/2013 14:12:07	10/25/2013 14:16:05	1	B	00:03:58
Average Response Time for District/Incident Type					00:03:58
323 Motor vehicle/pedestrian accident (MV Ped)					
13-3000505	10/01/2013 14:45:02	10/01/2013 14:49:00	1	B	00:03:58
Average Response Time for District/Incident Type					00:03:58
441 Heat from short circuit (wiring), defective/worn					
13-3000560	10/25/2013 13:10:48	10/25/2013 13:15:04	1	B	00:04:16
Average Response Time for District/Incident Type					00:04:16
554 Assist invalid					
13-3000516	10/07/2013 06:48:05	10/07/2013 06:55:47	1	A	00:07:42
Average Response Time for District/Incident Type					00:07:42
631 Authorized controlled burning					
13-3000539	10/18/2013 13:55:32	10/18/2013 13:55:32	1	A	00:00:00
Average Response Time for District/Incident Type					00:00:00
700 False alarm or false call, Other					
13-3000513	10/05/2013 21:49:47	10/05/2013 21:55:30	1	C	00:05:43
13-3000520	10/10/2013 12:57:20	10/10/2013 13:02:35	1	B	00:05:15
Average Response Time for District/Incident Type					00:05:29

OVILLA

Average Response Time by District/Incident Type

Alarm Date Between {10/01/2013} And {10/31/2013}
and District = "OVILLA"

OVILLA City of Ovilla

Incident	Alarm Date & Time	Arrival Date & Time	Stn	Shift	Response Time
900 Special type of incident, Other					
13-3000551	10/22/2013 18:47:22	10/22/2013 19:00:39	1	B	00:13:17
					Average Response Time for District/Incident Type 00:13:17

Overall Average Response Time for District 00:05:18

Total Incident Count: 24

Overall Average Response Time: 00:05:18

OVILLA

Incidents by District (Summary)

Alarm Date Between {10/01/2013} And {10/31/2013}

District		Count	Pct of Incidents	Est Losses	Pct of Losses
*	< Not Reported >	1	1.40 %	\$0	0.00 %
ESD2	Midlothian ESD#2	27	38.02 %	\$0	0.00 %
ESD4	Red Oak ESD#4	2	2.81 %	\$0	0.00 %
LANC	City of Lancaster	1	1.40 %	\$0	0.00 %
MIDLO	City of Midlothian	8	11.26 %	\$0	0.00 %
MUT	Mutual Aid-Other	1	1.40 %	\$0	0.00 %
OAKLF	City of Oak Leaf - Ovilla Response Area	6	8.45 %	\$0	0.00 %
OVILA	City of Ovilla	25	35.21 %	\$0	0.00 %
Total Incident Count:		71	Total Est Losses:		\$0

OVILLA**Participation Summary by Staff**

10/01/2013 to 10/31/2013

Staff IDs: 751,749,740,750,713,724,722,717,714

All Stations

All Shifts

All Units

If staff availability detail is not found, assume staff member is: Don't Use Availability

All NFIRS/EMS Incidents

Total Staff being Reported: 9

Total Incidents For Period: 71

Incident Participation

Staff Id/ Name	Number of Runs		
	Available	Participated	Percent
751 Baker, Dalton	71	12	16.90%
749 Chapman, John Daniel	71	4	5.63%
740 Espinosa, Anthony	71	1	1.41%
750 Guffey, Nicholas Ray	71	4	5.63%
713 Holt, William Neal	71	3	4.23%
724 O'Brien, Steve G	71	2	2.82%
722 Spencer, Everett H	71	25	35.21%
717 Witherspoon, Jacki D	71	8	11.27%
714 Zalkovsky, Aaron	71	3	4.23%



Date: November, 5 2013

TO: Honorable Mayor and City Council Members

FROM: Brad Piland Public Works Director

TOPIC: Public Works Monthly Report for October

- Removed and replaced doors at City Hall
- Sewer Lift Station Repairs- pulled pump 1 at Heritage Lift Station, removed pump 1 from Cumberland
- Read Water meters, Service Disconnects and Reconnects
- Set up for National Night Out
- Replaced 12 meters Brookwood Addition
- Update marquee as needed
- Daily water maintenance residuals and pressure tests
- Heritage Park, Silver Spur Park, baseball fields and park - tree and grass maintenance
- Cut and hauled tree from Cockrell Hill Road
- Road work in Ovilla Oaks - picked up loose gravel
- Mowed lots for Code Enforcement
- Repaired water leak at 403 Cockrell Hill, 214 Lariat, 132 Suburban
- Mowed right-of-ways
- Repaired guardrail Westmoreland Road
- Cleaned storm drains and roadways in Ovilla Parc

❖ Jimmy Bryan -

- Serviced PD Units 103
- Serviced 2001 Dump truck
- Removed equipment from PD 101

**Flushed Hydrants

- Collected water samples for TCEQ reporting
- Water Maintenance – routine flushing mains and hydrants
- Meter Box repairs and replaced lids as needed

**Watered plants at City Hall and park



DATE: 11-12-13

TO: Honorable Mayor and Council Members

FROM: Sharon Jungman

SUBJECT: Committed Fund Balance Calculation for

Quarter Ending 09-30-13

**City of Ovilla
Committed Fund Balance
as of September 30, 2013**

Description	Account Number	2012-2013 Amended Budget
		Amount
Total General Fund 2012-2013 Budget		2,425,708
Capital Outlay - Buildings	5107420	(15,700)
Capital Outlay - Land	5107425	(56,000)
Capital Outlay - Machinery and Equipment	5107440	0
Capital Outlay - Vehicles	5207450	0
Capital Outlay - Other	5207490	0
Capital Outlay - Machinery and Equipment	5307440	(8,800)
Capital Outlay - Building	5507420	0
Capital Outlay - Machinery and Equipment	5507440	(9,500)
Capital Outlay - Vehicles	5507450	0
Capital Outlay - Infrastructure	5507460	(148,000)
Capital Outlay - Machinery and Equipment	5607440	(3,000)
Total Budget Less Capital or one time Expenditures		2,184,708
Less Contingency Reserve	5109001	(16,954)
		2,167,754
		25%
Committed Fund Balance		\$ 541,938.50

Total Reserve Bank Value Accounts

Prosperity Bank (Acct. #670010608)	1012290	\$ 55,415.36
Prosperity Money Market Reserve (Acct. #9307583)	1012250	\$ 127,108.16
Citizen's National Bankd (Acct. #11384408)	1012255	\$ 243,739.45
Texstar Reserves (Acct.#07017-1112)	1011525	\$ 928.81
Total Reserve Cash		\$ 427,191.78
Total undesignated cash reserves (Acct. #9307605)	1012520	\$ 135,000.00
Total Reserve Cash & Designated Cash		\$ 562,191.78

Number of Days in Current Reserve \$ 5,939.05 94.66

Unassigned Fund Balance from 2011-2012 Audit	\$ 1,187,862.00
Committed Fund Balance	\$ 541,938.50
Current Unassigned GF Balance	\$ 645,923.50
Less Approved Road Work on Cockrell Hill Rd. 5-28-13	\$ (228,953.00)
Balance Left in Current Unassigned GF Balance	\$ 416,970.50



City Administrator Activity Report

Cyndy Powell

October 28 – November 1, 2013

Weekly staff meetings - Tuesdays at 9:00 a.m.

Employee Policies Handbook –Council members were provided the latest draft to review. Please contact Ms. Lee with your questions or concerns regarding the revisions. She is not able to extend her time into November. She will be able to research or inquire through Ron McFarlane any concerns regarding the personnel handbook revisions. 214-536-7503 Jackie Lee.

Road Repairs for FY 2014 – Brad and I met Kyle Butler and Ron Brown to develop a timetable for road work on Cockrell Hill and the roads designated on the FY2014 CIP: Thorntree, West Moreland, and Bryson Lane. Ellis County does not have the capacity to complete the 2.2 miles of Cockrell Hill all in year 2014 and suggested we contact Dallas County to reclaim their 6/10 mile portion and then Ellis County would reclaim 1 mile and chip seal both portions in Dallas and Ellis County. Ellis County would not commit to the roads on our CIP list at this time on top of the Cockrell Hill project. Brad will be checking with Dallas County on their availability and cost to reclaim their portion. Brad and I will be meeting again with Ellis County to firm up plans.

Solid Waste and Recycling Contract – Contract was approved. Mobilization and plans for deployment of recycling carts are being finalized for delivery to residences week of December 2nd. Just a reminder, if you are asked, Customers that are currently picked up on Wednesday will move to Thursday and the Saturday customers will move to Friday. The approximate pickup times will remain the same for each area and the recycle days will move to the new service day as well. The bulky pickup will also coincide with service day.

Planning and Zoning Commission – Next meeting will be held November 04, 2013; agenda will include a discussion regarding parking standards and hay baling.

Employee Compensation and Classification Study –A review committee was appointed at the October 15th Council meeting to review the four proposals with staff. The proposals and evaluation sheets were provided following the meeting to Mr. Hall, Mr. Oberg, and Pam.

Strategic Plan - The two (2) full-day strategic planning conferences are confirmed for Saturday, November 9th and now on Saturday, December 14th beginning at 8:30 a.m. and ending by 3:00 p.m. at the First Baptist Church. A notice of the meetings has been prepared and will be posted on the City's website and distributed through the Notify Me system on October 28th – 13 days prior to the first work session and again on Monday November 4th.

Economic Development Corporation – next meeting is November 18th. I will be attending the International Conference of Shopping Centers (ICSC) at Dallas Convention Center late Wednesday afternoon through Friday, (November 6-8).

Municipal Development District – meeting to be held November 4, 2013 at 6:00 p.m.

Main Street Sewer Project – Staff will update Council regarding cost increase for installation of a sewer line at the November 12th meeting.

Christmas Tree Lighting – Ovilla Service League has set the date for the Christmas Tree Lighting in Heritage Park for Thursday, December 05, 2013 beginning at 7:00 p.m. - 8:00 p.m.



Jessica Foresman
Court Clerk

DATE: November 12, 2013
TO: Honorable Mayor Dormier and City Council Members
FROM: Jessica Foresman, Court Clerk
SUBJECT: Monthly Staff Report

39 traffic, 2 penal, and 4 code related cases were filed for the month of October. 14 warrants were issued

Court Collection for the month of October was \$5,033.85

\$3,010.78 is kept by the City	FYTD \$3,010.78
\$2,023.07 is remitted to State	FYTD \$3,023.07

October 2013

Code Enforcement Report

Complaints – 106 (24 – grass, 9-no permit, 26-parking, 4- public nuisance, fence- 9, irrigation violation – 34)

Follow ups – 134

Door Notices – 48 (parking- 12, grass-10, irrigation violation -10, fence- 8, nuisance-8)

Mail Notices – 32 (24-water, 8-parking, 6- grass)

Posted Property – 4 (3 – grass, 1- nuisance)

Court –

- 3 Pleas of Guilty – 1-failure to mow property \$194, 1-parking violation \$172, 1-home occupation violation \$172.00,
- 1 plea of not guilty –parking in yard , jury trial requested
- Total fines - \$538

Citizen contacts - 80

Permits reviewed – 11, permits issued - 6

Inspections – 15

Nuisance Abated by City – 2 grass violations

Nuisance- Signs – 20

Illegal Dumping – Trash on Westmoreland

Board of Adjustment - None

October 2013

Animal Control Report

Complaints- 39 (15 – at large, 12- animal welfare, 1 - barking, 5 trap requests, 3 – injured animal)

Follow ups – 55

Door Notices – 22 (19 registered, 3 dogs-at-large)

Impounded Animals – 12 (11 Dogs, 1 cat)

Impounded Animal Results - 5 transports, 6 returned to owners

Impound Fees Collected - \$480

Court – 1 at large

Citizen contacts - 46

Animal Registration Tags Issued – 16 total, \$192.00

Registration Reminders Mailed- 16

Nuisance Letters Mailed - 1

Animals Released – 3 (1-skunk, 1 armadillo, 1 raccoon)

Deceased Removed - 21

Oak Leaf – 1 dog

Traps Checked Out – 9



DATE: 11-12-13

TO: Honorable Mayor and Council Members

FROM: Sharon Jungman

SUBJECT: Expenditures in October 2013 over \$5,000

City of Ovilla Expenditures in October 2013 Over \$5,000

General Fund			
Date	Check#	Payee	Description
			Amount
10/3/2013	41877	Blue Cross/Blue Shield	\$7,051.88
10/10/2013	41805	Bureau Veritas	\$10,128.25
10/10/2013	41806	Citibank	\$5,820.06
10/30/2013	41888	Community Waste Disposal	\$16,832.42
10/10/2013	41811	Direct Energy	\$5,008.61
10/10/2013	ACH	Quick Books Payroll Service	\$39,252.66
10/24/2013	ACH	Quick Books Payroll Service	\$36,649.85
10/10/2013	41834	Sam Houston State University	\$15,000.00
10/22/2013	41873	State Comptroller	\$6,675.41
10/15/2013	41845	T.M.R.S.	\$9,630.85
10/17/2013	41854	Texas Municipal League	\$12,849.75
10/11/2013	ACH	US Treasury	\$7,679.64
10/25/2013	ACH	US Treasury	\$7,239.80
Total General Fund Transactions Paid in Oct. 2013 \$5,000 and Over			\$179,819.18

Water & Sewer Fund			
Date	Check#	Payee	Description
			Amount
10/31/2013	15281	City of Dallas	\$46,687.88
10/31/2013	15302	City of Ovilla General Fund	\$17,215.31
Total Water & Sewer Fund Transactions Paid in Oct. 2013 \$5,000 and Over			\$63,903.19



DATE: 11-12-2013

TO: Honorable Mayor and Council Members

FROM: Sharon Jungman

SUBJECT: Quarterly Investment Report for

Quarter Ending 09-30-13

Fund	Bank	Investment Type	Description	Quick Books Account #	Inception Date	Maturity Date	Rate	Beginning Market Value 7-1-2013	Activity During Quarter	Ending Market Value 9/30/2013	Book Value 9/30/2013	Difference
GENERAL FUND												
GF	Prosperity Bank	Operating	General	1012500	N/A	N/A	0.3200%	\$ 1,247,900.60	Interest Earned	\$ 823,62		
									Net Deposit	\$ 449,936.15		
									Net Withdrawals	\$ 750,544.47		
									Ending Balance	\$ 948,115.90	\$ 807,576.06	\$140,539.84
GF	Texstar Investment	Pool		1012525	N/A	N/A	0.0390%	\$ 3,773.46	Interest Earned	\$ 0.29		
									Withdrawal	\$ -	\$ 3,723.75	\$3,723.75
GF	Prosperity Bank	Money Market		1012520	3/2/11	N/A	0.2000%	\$228,472.05	Interest Earned	\$ 115.20		
									Withdrawal	\$ -	\$ 228,587.25	\$228,587.25
GF	Prosperity Bank	Reserves	Money Market	1011500	N/A	N/A	0.1000%	\$ 29,385.03	Interest Earned	\$ 0.48		
									Withdrawal	\$ 29,385.51	\$ 0.00	\$0.00
									Ending Balance	\$ 0.00		
GF	Texstar Investment	Pool		1011525	N/A	N/A	0.0390%	\$ 928.80	Interest Earned	\$ 0.01	\$ 928.81	\$928.81
GF	Prosperity Bank	Money Market		1012250	N/A	N/A	0.2000%	\$ 127,044.11	Interest Earned	\$ 64.05		
									Net Deposit	\$ -		
									Net Withdrawals	\$ -		
									Ending Balance	\$ -		
GF	Citizens National Bank	CD		1012255	8/20/13	2/21/14	0.3000%	\$ 243,269.42	Interest Earned	\$ 470.03		
									Net Deposit	\$ -		
									Net Withdrawals	\$ -		
									Ending Balance	\$ 243,739.45		\$0.00
GF	Prosperity Bank	CD		1012290	10/17/12	10/17/13	0.3000%	\$ 55,373.94	Interest Earned	\$ 41.42	\$55,415.36	\$55,415.36
									Total General Fund Balance	\$1,607,618.68	\$1,467,078.84	\$140,539.84
									DEBT SERVICE			
Debt	Prosperity Bank	Savings Account		1010000	N/A	N/A	0.1500%	\$ 578,008.25	Interest Earned	\$ 139.26		
									Deposits	\$ 44,659.16		
									Deductions	\$ 513,012.50		
									Ending Balance	\$109,804.17	\$109,804.17	\$0.00

City of Ovilla
 Fiscal Year 2012-2013
 Investment Report
 For Quarter Ending September 30, 2013

Fund	Bank	Investment Type	Description	Quick Books Account #	Inception Date	Maturity Date	Rate	Beginning Market Value 7-1-2013	Activity During Quarter	Ending Market Value 9/30/2013	Book Value 9/30/2013	Difference
Water & Sewer Utility Fund												
W&S	Prosperity Bank	Operating	Utility	1021500	N/A	N/A	0.3200%	\$ 637,034.34	Interest Earned Net Deposit Net Withdrawals	\$ 568.21 \$ 446,536.98 \$ 372,284.67		
W&S	Texstar Investment	Pool										
W&S	Prosperity Bank	Utility	1021530	N/A	N/A	0.0390%	\$ 1,144.74	Interest Earned Net Deposit Withdrawals	\$ 0.01 - -			
W&S	Prosperity Bank	Utility	Money Mkt.	1020500	N/A	N/A	0.2000%	\$ 83,385.67	Interest Earned Net Deposit Net Withdrawals	\$ 1,144.75 - \$ 83,385.67		
W&S	Prosperity Bank	Utility	1021800	N/A	N/A	0.3500%	\$ 137.48	Interest Earned Net Deposit Net Withdrawals	\$ 0.12 - -			
W&S	Prosperity Bank	Money Mkt.		1020500	N/A	N/A	0.2000%	\$ 187,572.09	Interest Earned Net Deposit Net Withdrawals	\$ 94.57 - -		
Total W&S Utility Fund								Total W&S Fund		\$ 892,430.09	\$ 892,430.09	\$ 8,373.78
CAPITAL PROJECTS												
CP	Texpool Investment	Construction Funds	Pool	1023000	N/A	N/A	0.0362%	\$ 308.16	Interest Earned Deposits Withdrawals Ending Balance	\$ - - \$ 308.16 \$ 0.00		
CP	Texstar Investment	Pool		1023500	N/A	N/A	0.0390%	\$ 1,395.29	Interest Earned Deposits Withdrawals Ending Balance	\$ 0.07 - \$ 1,395.36 \$ 0.00		
CP	Prosperity Bank	Money Market		1024000	N/A	N/A	0.2000%	\$ 129,469.27	Interest Earned Deposits Withdrawals Ending Balance	\$ 65.28 - \$ 129,534.55 \$ 0.00		
Total Capital Projects										\$ 131,238.07	\$ 131,238.07	\$ 0.00



DATE: 11-12-2013

TO: Honorable Mayor and Council Members

FROM: Sharon Jungman

SUBJECT: Yearly Investment Report for Fiscal
Year Ending 9-30-13

City of Ovilla
Investment Report
For Fiscal Year Ending September 30, 2013

City of Ovilla
Investment Report
For Fiscal Year Ending September 30, 2013

Fund	Bank	Investment Type	Description	Quick Books Account #	Inception Date	Maturity Date	Rate	Beginning Market Value 10-1-2012	Activity During Quarter	Ending Market Value 9/30/2013	Book Value 9/30/2013	Difference
Water & Sewer Utility Fund												
Operating												
W&S	Prosperity Bank	Utility		1021500	N/A	N/A	0.3200%	\$ 665,208.96	Interest Earned Net Deposit Net Withdrawals	\$ 2,305.34 \$ 1,428,040.20 \$ 1,383,699.64	\$703,481.08	\$8,373.73
W&S	Texstar Investment	Pool		1021525	N/A	N/A	0.0390%	\$ 1,143.85	Interest Earned Net Deposit Withdrawals Ending Balance	\$ 0.90 - - \$ 1,144.75	\$0.00	
W&S	Prosperity Bank	Utility	Closed on 1/7/13 transfer funds to Prosperity #18004323	1021530	N/A	N/A	0.2000%	\$ 33,343.76	Interest Earned Net Deposit Net Withdrawals	\$ 41.91 - \$ 33,385.67	\$0.00	
W&S	Prosperity Bank	Utility		1021800	N/A	N/A	0.3500%	\$ 137.13	Interest Earned Net Deposit Net Withdrawals	\$ 0.47 - -	\$137.60	\$0.00
W&S	Prosperity Bank	Money Mkt.		1020500	N/A	N/A	0.2000%	\$ 102,950.97	Interest Earned Net Deposit Net Withdrawals	\$ 330.02 \$ 33,385.67 \$ -	\$187,566.56	\$0.00
Total W&S Utility Fund									Total W&S Fund	\$900,803.87	\$892,430.09	\$8,373.73
CAPITAL PROJECTS												
Construction Funds												
CP	Texpool Investment	Pool		1023000	N/A	N/A	0.0362%	\$ 308.16	Interest Earned Deposits Withdrawals Ending Balance	\$ - - - \$ 308.16	\$308.16	\$0.00
CP	Texstar Investment	Pool		1023500	N/A	N/A	0.0390%	\$ 1,394.19	Interest Earned Deposits Withdrawals Ending Balance	\$ 1.17 - - \$ 1,395.36	\$1,395.36	\$0.00
CP	Prosperity Bank	Money Market		1024000	N/A	N/A	0.2000%	\$129,275.93	Interest Earned Deposits Withdrawals Ending Balance	\$ 258.62 - - \$ 129,534.55	\$129,534.55	(\$0.00)
Total Capital Projects											\$131,238.07	\$131,238.07

**City of Ovilla
Investment Report
For Fiscal Year Ending September 30, 2013**

**City of Ovila
Investment Report
For Fiscal Year Ending September 30, 2013**

CITY OF OVILLA MINUTES
Tuesday, October 15, 2013
Regular City Council Meeting
105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Dormier called the Regular Council Meeting of the Ovilla City Council to order at 7:00 P.M. The following City Council Members were present:

Ralph Hall	Mayor Pro Tem, Place 1
Larry Stevenson	Council Member Place 2
David Griffin	Council Member Place 3
Doug Hunt	Council Member Place 4
Dean Oberg	Council Member Place 5

Mayor Dormier noted present members, thus constituting a quorum. City Administrator Cyndy Powell was noted as absent. Various department-heads and staff were also present.

Mayor Dormier gave the Invocation and led the recitation of the Pledge of Allegiance.

COMMENTS, PRESENTATIONS, REPORTS AND/OR APPOINTMENTS

♦ ***Citizens Comments / Citizens Forum:***

- I. None

♦ ***Department Activity Reports / Discussion***

• Police Department	Police Chief M. Moon
• Chief Moon briefed Council on the Police Department monthly report.	
• Fire Department	Captain B. Kennedy
• In the absence of Fire Chief Brancato, Captain Kennedy briefed Council on the Fire Department monthly report and answered specific questions relating to the Life Safety Program.	
• Public Works	Director B. Piland
• Briefed Council on the Public Works Department monthly report.	
• Administration	
• Bi-weekly activity report was reviewed.	
• Status on the pending security system installation at city hall was reviewed with staff.	
• Municipal Court	City Secretary P. Woodall
• Briefed Council on monthly and annual reports and gave collections, warrants and violation comparisons from the previous year.	
• Code Enforcement/Animal Control	Code Enforcement/ACO M. Dooly
• Reviewed monthly reports and answered questions.	

CONSENT ITEMS

- Financial Transactions
- ATMOS Ordinance

Mayor Pro Tem Hall asked to pull the Financial Transactions from the consent. He asked staff to provide documentation related to two separate purchases of radios from American Communications and Azle Communications made by the Fire Department and return with explanation and verification that staff followed procurement laws.

PL4 Hunt made the motion that Council approves the remaining consent item (ATMOS) as presented and directed staff to return to the next Council meeting with documentation and explanation of the mentioned items listed in the Financial Transactions, seconded by PL2 Stevenson. *Mayor Dormier asked for an announcement of AYE or NAY from Council. Present Council announced AYE in favor. No oppositions, no abstentions.*
VOTE: The motion carried unanimously: 5-0.

PUBLIC HEARING

PUBLIC HEARING AND DISCUSSION Public Hearing & Discussion – Discuss and consider the proposed change to Chapter 14 of the Ovilla Code of Ordinances:

Case No. PZ13-011: A request by The City of Ovilla: Receive recommendation from the Planning and Zoning Commission to consider and approve proposed Ordinance 2013-029, repealing Chapter 14, Article 4, Sections 33.8 and 33.9 of the Ovilla Code of Ordinances and replacing same with new provisions pertaining to residential off-street parking and residential parking development standards.

Mayor Dormier read the caption and advised that Council did not receive a recommendation from the Planning and Zoning Commission regarding this item, therefore, Council had nothing to consider. The public hearing would not be opened, nor would Item 1 be addressed at this time.

REGULAR AGENDA

ITEM 1. **DISCUSSION/ACTION – Case No. PZ13-011:** Consider proposed Ordinance 2013-029, repealing Chapter 14, Article 4, Sections 33.8 and 33.9 of the Ovilla Code of Ordinances, and replacing same with new provisions pertaining to residential off-street parking and residential parking development standards; providing for penalties; 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.

No Action.

ITEM 2. **DISCUSSION/ACTION –** Consideration of proposed Main Street Sewer Project and take action as necessary.

City representatives and the Mayor met with property owners in late September to discuss estimated costs for materials associated with the property owners' financial portion of the Main Street sewer line extension if approved. An estimated cost to the property owners for materials was \$10,700. In early October, the city received a written request from four of the downtown property owners asking Council to consider waiving connection fees (Base capital recovery fee is \$1250) The property owners would remain responsible for connection performed by the applicant's contractor (to City standards) including a plumbing inspection.

Public Works Director Brad Piland met with one contractor and was given an estimate of \$5,000 as the total cost to the City; however, he would be obtaining additional quotes. A developer's agreement would need to be drafted and approved prior to proceeding including a firm quote of the City's cost. PL4 Hunt shared his opinion that this was not the City's responsibility to improve the properties of individual citizens, but that the financial responsibility should be the burden of the owner.

Mayor Pro Tem Hall made the motion that Council move forward with drafting a developer's agreement for those individuals affected in the downtown area and that the City would waive the \$1250 capital recovery fee, seconded by PL2 Stevenson. PL4 Hunt questioned what the City would gain from this. The property owners' purchased their properties knowing there was no sewer. What message does this give to builders and developers? PL4 Hunt stated he did not agree using taxpayers' dollars for just a few downtown property

Richard Dormier, Mayor

Ralph Hall, Place One

Larry Stevenson, Place Two

owners. If the property owners were proposing to make substantial improvements to their properties, it might present some credibility and desires help them. Mayor Pro Tem Hall responded that this would benefit the downtown area – which was a Historical District of the City and a benefit to the City. Mayor Pro Tem Hall added that this request had been on the agenda for a number of years and it is time to either approve it or drop it completely. PL3 Griffin said he appreciated PL4 Hunt's stance on this issue however, based on the cost of \$5,000 (which he had heard it to be much more costly in the past) this would benefit businesses in the downtown area and help the City. *Mayor Dormier asked for an announcement of AYE or NAY from Council. Council Members, Mayor Pro Tem Hall, PL2 Stevenson and PL3 Griffin announced AYE in favor. Council Members PL4 Hunt and PL5 Oberg voted in opposition, no abstentions.*

VOTE: The motion carried: 3 in favor-2 in opposition.

ITEM 3. DISCUSSION/ACTION – Consider request from Jason Dodson, General Manager, John Houston Custom Homes for change to the current Building Regulations to allow for a front-facing third car garage option in Phase 2 of Ovilla Parc.

Mr. Jason Dodson with John Houston Custom Homes was present and spoke on behalf of the builder desiring an exception to Ovilla's current Building Regulations that prohibits front-facing garages. Mr. Dodson stated that from a builder's standpoint, they desire to create the largest "amount" of house on a given lot. HOA restrictions in this particular neighborhood (Ovilla Parc) require homes in excess of \$3,000 sq. ft. to have a third garage. Placement of the extra (third) garage would take up the backyard and/or limit the use of the yard. A photo of an example of a wing-wall was included as well as other photos of front-facing garages. The current code does permit a process for an administrative variance of a twenty-degree variance and requests for over a twenty-degree variance are considered by the BOA. Council's consensus was to continue with current code and not consider revising the Building Regulations allowing front-facing garages. Mayor Dormier assured Mr. Dodson that the City was very pleased that John Houston Homes was in Ovilla even though they would not consider the request.

No Action.

ITEM 4. DISCUSSION/ACTION – Consider two Council appointments to a Review Committee for the Proposals for the Employee Compensation and Classification Study.

Four proposals were received on September 13, 2013 for the Employee Compensation and Classification Study. Two Council members, Mayor Pro Tem Hall and PL5 Oberg volunteered to serve on the Review Committee along with 2 staff members (City Administrator and City Secretary) to evaluate the four proposals and make a recommendation to Council at a future meeting.

PL4 Hunt made the motion that Council appoints PL5 Oberg and Mayor Pro Tem Hall to serve on the Review Committee for the Proposals for the Employee Compensation and Classification Study, seconded by PL3 Griffin. *Mayor Dormier asked for an announcement of AYE or NAY from Council. Present Council announced AYE in favor. No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

ITEM 5. DISCUSSION/ACTION – Review summary report and results following the 2013 Heritage Day celebration.

PL4 Hunt began with the statement that the success of Heritage Day was truly a team effort from all Council and City staff. PL3 Griffin commended PL4 Hunt and staff for another successful event.

No Action.

REQUESTS FOR FUTURE AGENDA ITEMS

1. Mayor Confirmed that the Financial Transactions would return for approval.
2. Mayor Pro Tem Hall Joint workshop with Council and Boards regarding TX Open Meetings Act and each board member's duties in relation to their assigned membership. Mayor Pro Tem Hall recommended having the City's legal counsel in attendance. Also, schedule a workshop for review of the Employee Personnel Policies Handbook sometime in November.
3. PL2 Stevenson None
4. PL3 Griffin None
5. PL4 Hunt None
6. PL5 Oberg None

ADJOURNMENT

PL4 Hunt made the motion to adjourn the meeting, seconded by PL2 Stevenson. There being no further business, Mayor Dormier adjourned the meeting at 8:15 p.m.

Richard Dormier, Mayor

ATTEST:

Pamela Woodall, City Secretary

Approved November 12, 2013

AGENDA ITEM REPORT

Item(s):1 (City Secretary use only)

Meeting Date: November 12, 2013

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Amount:

Attachments:

1. Diagram

Agenda Item / Topic:

ITEM 1. *DISCUSSION/ACTION* -Consideration of a Meritorious Exception to Ovilla Road Baptist Church for a sign permit.

Discussion / Justification:

Council considered and denied this request during the September 23, 2013 meeting. Applicant was encouraged to return with an improved diagram.

Chapter 3, Section 3.06.012 of the Ovilla Code of Ordinances does allow for the granting of exceptions for signage based on Council decision.

Sec. 3.06.012 Granting of exceptions

(a) Generally. It is not the intention of these criteria to discourage innovation. It is entirely conceivable that signage proposals could be made that, while clearly nonconforming to this article and thus not allowable under these criteria, have obvious merit in not only being appropriate to the particular site or location, but also in making a positive contribution to the visual environment.

(b) Request for exception. Upon request of an interested party, the City Council, upon recommendation by the administrative official, shall hear and shall seriously and fairly consider a request for a meritorious exception under this section.

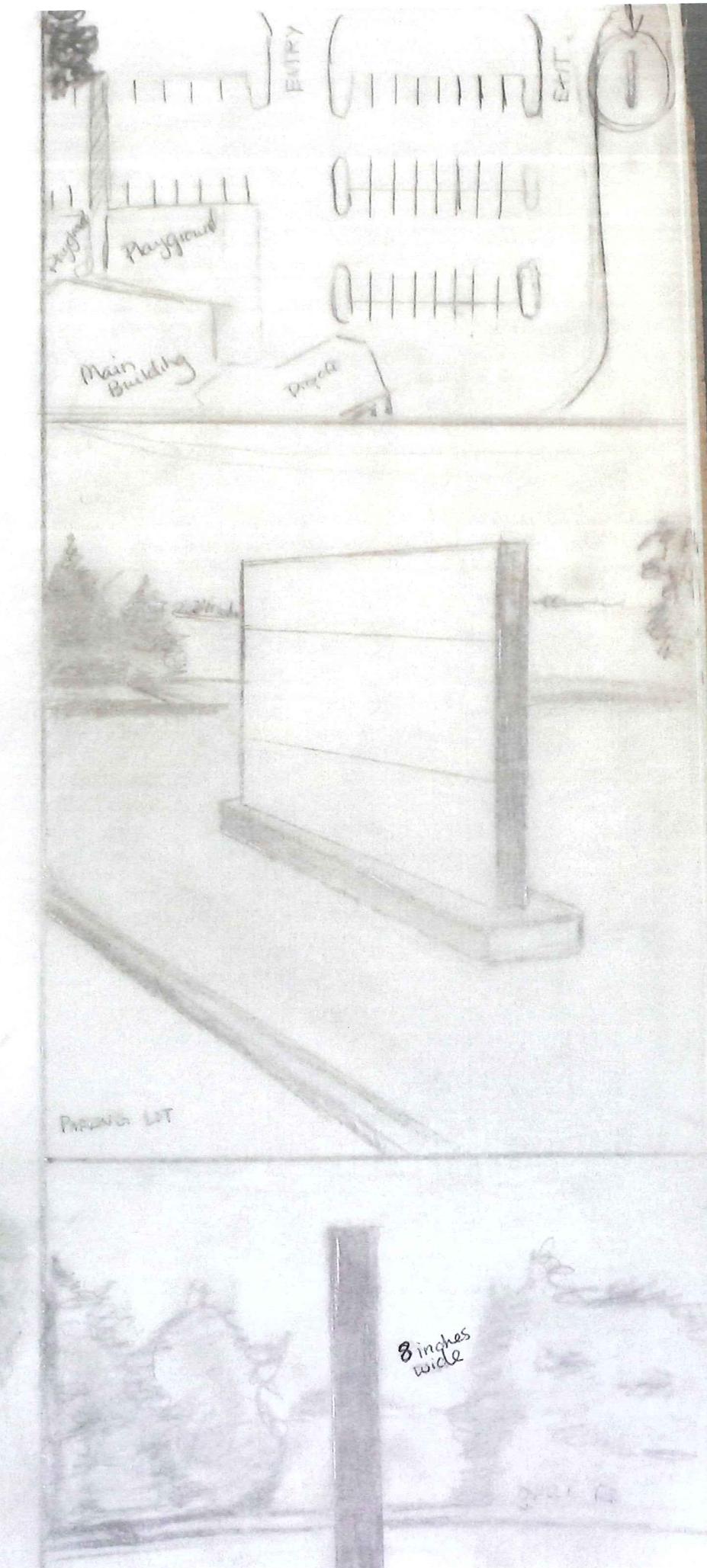
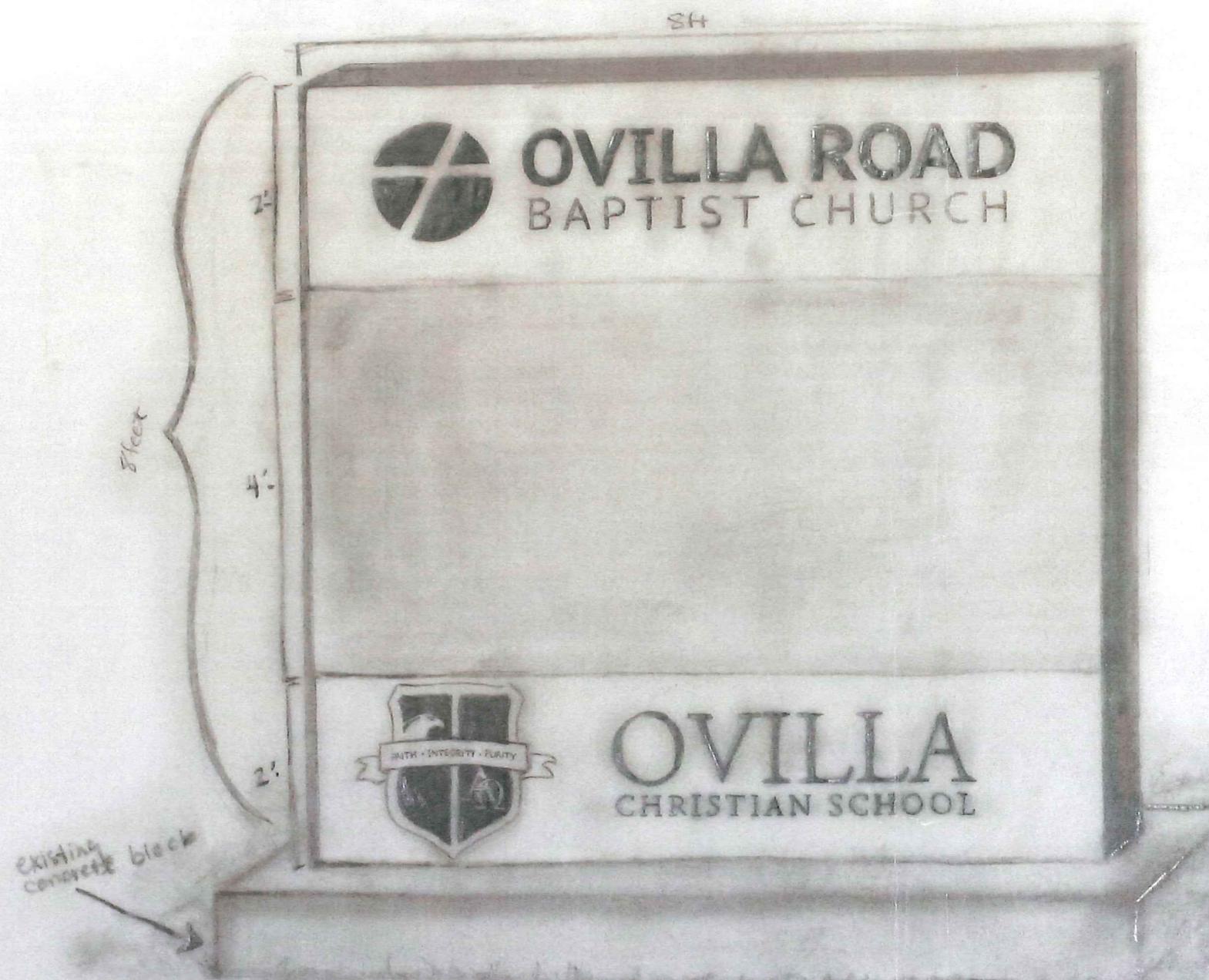
(c) Conditions. The city council may impose conditions on the granting of an exception if the Council deems such condition further carries out the intent and purpose of this article.

Recommendation / Staff Comments:

Sample Motion(s):

"I move that Council Approves/Denies a Meritorious Exception to Ovilla Road Baptist Church for a sign permit as presented."

LED SIGN MOCKUP



AGENDA ITEM REPORT

Item(s):2 (City Secretary use only)

Meeting Date: November 12, 2013

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Amount:

Attachments:

1. Planning and Zoning Commission Recommendation
2. Proposed Ordinance 2013-030

Agenda Item / Topic:

ITEM 2. *DISCUSSION/ACTION* – Receive recommendation from the Planning & Zoning Commission to consider proposed Ordinance 2013-030, amending Chapter 6, Article 6.04.001 of the Ovilla Code of Ordinances providing exceptions to the regulation on the maximum height of weeds, grass and other objectionable material.

Discussion / Justification:

The Planning and Zoning Commission reviewed Ordinance 2013-030 during their October and November monthly meetings, offering and sharing varied suggestions and revisions. Staff was asked to modify Sections 6.04.001 (c) to allow an exception for cultivated crops that included hay baling, privately owned gardens, flowerbeds and pastureland for livestock, and 6.04.001(d), and include the word “residence” to the 100-ft distance.

The Planning and Zoning Commission hereby forwards recommendation to Council for approval of the proposed ordinance with the highlighted revisions. Legal Counsel has redlined and approved.

Recommendation / Staff Comments:

Staff recommends approval

Sample Motion(s):

“I move that Council Approves/Denies Ordinance 2013-030, Amending Chapter 6, Article 6.04.001 of the Ovilla Code of Ordinances providing exceptions to the regulation on the maximum height of weeds, grass and other objectionable material as presented.”



City of OVILLA Planning & Zoning Commission Recommendation

INDIVIDUAL CONSIDERATION & REGULAR AGENDA

ITEM 3. **DISCUSSION/ACTION** – Consider proposed Ordinance 2013-030 of the City of Ovilla, TX, amending Chapter 6, Article 6.04, Section 6.04.001 of the Ovilla Code of Ordinances, providing exceptions to the regulation on the maximum height of weeds, grass and other objectionable material and forward recommendation to Council.

With Modifications:

1.
2. NONE
3.
4.

PLANNING AND ZONING Members present, and upon a record vote of:

PL 1 Jungman
PL2 Yordy
PL3 Lynch
PL4 Favaron

AYE
AYE
AYE
AYE

PL5 Pearcy
PL6 Lamar
PL7 Zimmermann

AYE
AYE
ABSENT

6 FOR

0 AGAINST

0 ABSTAIN

C. Lynch
Presiding Officer of P&Z

11-5-2013
Date

Quiller
Secretary Signature

11/5/13
Date

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, AMENDING CHAPTER 6, ARTICLE 6.04, SECTION 6.04.001 OF THE OVILLA CODE OF ORDINANCES, PROVIDING EXCEPTIONS TO THE REGULATIONS ON THE MAXIMUM HEIGHT OF WEEDS, GRASS AND OTHER OBJECTIONABLE MATERIAL; PROVIDING FOR PENALTIES; 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.

WHEREAS, on June 10, 2013, the City Council of the City of Ovilla, Texas, passed, approved and adopted Ordinance 2013-019 amending Chapter 6, Article 6.04, Section 6.04.001 of the Code of Ordinances of the City of Ovilla to provide new regulations pertaining to weeds, grass and other objectionable material; and

WHEREAS, the City Council of the City of Ovilla, Texas, ~~find-finds~~ and determines that it is in the best interest of the health, safety and welfare of the citizens of the City of Ovilla, Texas, further amend Section 6.04.001 of the Code of Ordinances in order to provide certain exceptions to the regulations pertaining to weeds, grass and other objection material.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, THAT:

SECTION 1. AMENDMENT OF CHAPTER 6, ARTICLE 6.04, SECTION 6.04.001 OF THE OVILLA CODE OF ORDINANCES

Chapter 6, Article 6.04, Section 6.04.001 of the Ovilla Code of Ordinances is hereby amended to read as follows:

Sec. 6.04.001 Prohibited; maximum height of weeds and grass; other objectionable material

- (a) It shall be unlawful for any person owning any premises or property and/or his or her agent, within the city, to fail to keep said premises or property free from weeds, rubbish, brush, fallen trees and any other objectionable, unsightly, or unsanitary matter of whatever nature. It shall be specifically unlawful to allow grass or weeds to exceed nine inches (9") in height, including grass or weeds located in city right-of-ways, ~~easements~~ and alleys, including grass or weeds beside or under fences from the front to the rear of the property or beside a structure of any type including barns, sheds, vehicles, trailers and items located on grass.
- (b) Subject to the provisions of Subsection (c) of this ordinance, the provisions of Subsection (a) above do not apply to regularly cultivated crops, including hay, which are not grown in public street ~~rights-of-way~~^{right-of-ways}_[RGM1] or public easements or which do not block the necessary view to and from adjacent right-of-way.
- (c) A property owner who cultivates, or intends to cultivate, crops, including hay, must notify the City of Ovilla in writing, identifying the crop to be grown and dates and times of expected harvest. Exception: Any non-commercial privately owned property used for growing cultivated crops such as flowers, vegetables, or pasture designated for livestock ~~does not fall under this is exempt from the this~~ subsection (c) requirement.

(d) With respect to lots, tracts and parcels of land of two (2) or more acres, this ordinance does not apply to any area on such lot, tract or parcel that is beyond 100-feet from any open public street, **residence**, or thoroughfare as measured from the right-of-way line of said street or thoroughfare, or any area beyond 100-feet from any adjacent property under different ownership and on which any building is located or which any other improvement exists, as measured from the property line.

SECTION 2. PENALTIES

Any person who shall violate any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be liable for a fine in an amount not to exceed the maximum amount allowed by law, and each and every instance of the violation of this ordinance shall constitute a separate offense and shall be punishable by a separate fine for each offense.

SECTION 3. SAVINGS CLAUSE

In the event that any other Ordinance of the City of Ovilla, Texas, heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail.

SECTION 4. SEVERANCE CLAUSE

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. INCORPORATION INTO THE CODE OF ORDINANCES

The provisions of this ordinance shall be included and incorporated in the City of Ovilla Code of Ordinances and shall be appropriately renumbered, if necessary, to conform to the uniform numbering system of the Code.

SECTION 6. EFFECTIVE DATE

Because of the nature of interest and safeguard sought to be protected by this Ordinance and in the interest of the citizens of the City of Ovilla, Texas, this Ordinance shall take effect immediately after passage, approval and publication, as required by law.

SECTION 7. PUBLICATION

The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

ORDINANCE NO. 2013-030

PASSED, APPROVED and ADOPTED by the City Council of Ovilla, Texas on this the
____ day of _____, 2013.

ATTEST:

Richard Dormier, Mayor

Pamela Woodall, City Secretary

APPROVED AS TO FORM:

Ron G. MacFarlane, Jr., City Attorney

AGENDA ITEM REPORT

Item(s):3 (City Secretary use only)

Meeting Date: November 12, 2013

Department: Administration

Discussion Action

YES NO N/A

Submitted By: Staff

Amount: Not to exceed \$510

Attachments:

1. Proposed second extension letter
2. Total consulting & legal fees incurred for handbook revision

Agenda Item / Topic:

ITEM 3. *DISCUSSION/ACTION* – Consider an extension of the contract up to 10 hours with Texas First Group, retaining the services of Ms Jacqueline Lee, to provide consultation services to all areas related to Human Resources.

Discussion / Justification:

Ms Lee will be available to answer questions to assist staff and Council on the finalization of the Ovilla Employee Personnel Policies Handbook. Approved funds from the First Extension Agreement have been exhausted. This second extension would allow the City Administrator to approve payment to First TX Group not to exceed ten hours.

Recommendation / Staff Comments:

Sample Motion(s):

"I move that Council Approves/Denies a second extension of the contract for up to 10 hours with Texas First Group, retaining the services of Ms Jacqueline Lee to provide consultation services to all areas related to Human Resources."

**Second Extension to the Letter of Understanding
for Consultation Services with the City of Ovilla**

A Letter of Understanding agreement was authorized by the City of Ovilla City Council for consultation services for a term of one month commencing June 24, 2013 through July 24, 2013 to retain the services of former Interim City Administrator, Jacqueline Lee. The Letter of Understanding was extended by Agreement through August 26, 2013 and for an additional thirty-two (32) hours as approved by the City Administrator.

This Second Extension of the Agreement is to present the final Revised Employee Personnel Policies Handbook and make a presentation to City Council at the December 09, 2013 Special Meeting. The terms of the agreement would continue under the auspice of Texas First Group for up to ten hours through December 10, 2013.

A copy of the final approved agreement will be sent to Texas First Group.

The signatures below confirms the terms of the Extension Consultation Agreement

Richard Dormier, Mayor, City of Ovilla

Jacqueline Lee, Consultant,
Texas First Group

Total Consulting and Legal Fees Incurred to Revise Personnel Policies Handbook

Consulting Expense for Jackie Lee to Work on Personnel Handbook

Invoice

Date	Time period Covered by Invoice	Amount
07/29/2013	6/24/13 to 7/24/13	\$7,689.55
09/04/2013	7/25/13 to 8/30/13	\$4,400.19
11/01/2013	9/4/13 to 10/31/13	\$1,663.64
*Total Expense Incurred thru 10-31-13		<u>\$13,753.38</u>

*Note: Jackie worked on the personnel handbook during her time as Interim City Administrator also, but the consulting costs listed above only include the time since she left as City Administrator and was retained as a consultant to finish the Personnel Handbook.

Legal Fees From Ron MacFarlane Related to the Personnel Manual

Invoice

Date	Month Work Done	Amount
07/31/2013	July	\$180.00
08/31/2013	Aug.	\$570.00
09/30/2013	Sept.	\$480.00
10/31/2013	Oct.	\$510.00
Total Expense Incurred thru 10-31-13		<u>\$1,740.00</u>
Total Consulting & Legal Fees incurred thru 10-31-13		\$15,493.38

AGENDA ITEM REPORT

Item(s):4 (City Secretary use only)

Meeting Date: November 12, 2013

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Amount:

Attachments:

1. None

Agenda Item / Topic:

ITEM 4. **DISCUSSION/ACTION** – Consider scheduling a workshop on December 09, 2013, 6:00 p.m. to review the proposed revisions to Ovilla Employee Personnel Policies Handbook.

Discussion / Justification:

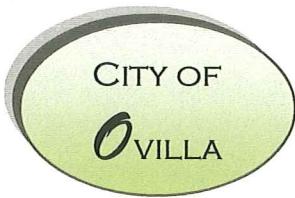
This proposed one hour session will allow staff and Council to review revisions and answer questions with Ms Lee and Legal Counsel Ron MacFarlane pertaining to the completion of the employee handbook. Council has a regularly scheduled meeting this same date at 7:00 p.m.

Recommendation / Staff Comments:

Staff recommends approval of the workshop.

Sample Motion(s):

"I move that Council Approves/Denies a workshop date of December 09, 2013, 6:00 p.m., to review proposed revisions to the Ovilla Employee Personnel Policies Handbook."



Ovilla City Council

AGENDA ITEM REPORT

Item(s):5 (City Secretary use only)

Meeting Date: November 12, 2013

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Amount:

Attachments:

1. None

Agenda Item / Topic:

ITEM 5. **DISCUSSION/ACTION** – Consider scheduling a workshop on January 13, 2014 at 6:00 p.m., for Council and City boards to receive training on the TX Open Meetings Act from City's Legal Counsel Ron MacFarlane.

Discussion / Justification:

Council appointed numerous new members to various City boards (Board of Adjustment, Planning and Zoning, Economic Development Corporation Board) in recent months. To assure proper municipal meeting protocol is followed, staff was directed to schedule a workshop date with the City's Attorney, the City Council and all City boards for a training session on the TX Open Meetings Act. Because January 13 is a regularly scheduled Council meeting, staff considered this date would be convenient for Council. Legal Counsel Ron MacFarlane has agreed to the date.

Recommendation / Staff Comments:

Staff recommends approval

Sample Motion(s):

"I move that Council Approves/Denies setting the date of January 13, 2014 at 6:00 p.m., for Council and City boards to receive training on the TX Open Meetings Act from City's Legal Counsel."

AGENDA ITEM REPORT

Item(s):6 (City Secretary use only)

Meeting Date: November 12, 2013

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Amount:

Attachments:

1. Dallas Central Appraisal District Letter
2. Proposed Resolution

Agenda Item / Topic:

ITEM 6. *DISCUSSION/ACTION* – Consider approval of Resolution 2013-014 of the City of Ovilla, (Dallas County), casting its vote for the fourth member of the Board of Directors of the Dallas Central Appraisal District.

Discussion / Justification:

During the September 23, 2013 Council Meeting, a resolution was approved and submitted nominating Mr. Michael Hurt as Ovilla's candidate to serve on the Dallas Central Appraisal District Board of Directors. This resolution will cast the official ballot for Ovilla's vote.

Recommendation / Staff Comments:

Staff recommends approval of the proposed resolution.

Sample Motion(s):

"I move that Council Approves/Denies Resolution 2013-014 of the City of Ovilla, casting its vote for Michael Hurt as the fourth member of the Board of Directors of the Dallas Central Appraisal District as presented."



Dallas Central Appraisal District

Date: October 24, 2013

To: Richard Dormier, Mayor, City of Ovilla

From: W. Kenneth Nolan, Executive Director/Chief Appraiser

Re: Election of Suburban Cities' Representative to Dallas Central Appraisal District Board of Directors

In accordance with state law, the nomination process for persons to serve on the Dallas Central Appraisal District Board of Directors has been completed. By state law, your agency is required to vote by official ballot resolution, which is enclosed. **You must do so no later than December 16, 2013. If your entity chooses to abstain from voting, please notify me in writing.**

The nominees are as follows. Also included are the names of the nominating cities.

Nominee	Entity(s) Nominating
Ms. Wanda Adams	Balch Springs
Mr. Loren Byers	Irving
Mr. Michael Hurtt	DeSoto, Ovilla, Richardson
Mr. Gerald W. Lemons	Glenn Heights

If you have questions concerning the candidates please contact the entities who nominated them.

Please act on this election process by official ballot resolution and return the ballot resolution to my office in the enclosed envelope by December 19, 2013. **The 1979 resolution adopted by the taxing units participating in Dallas Central Appraisal District, which governs board elections, requires that a candidate receive a majority of the votes in order to be elected to the Board of Directors. Therefore it is imperative that your taxing unit cast its vote by the December 16, 2013 deadline.**

We appreciate your interest in this very important process and look forward to receiving your vote.

WKN/kld

Enclosure (Official Ballot Resolution/Return Envelope)

cc: Cynthia Powell, City Admin.
Pamela Woodall, City Secretary
Sharon Jungman, City Accountant

**A RESOLUTION OF THE CITY OF OVILLA, ELLIS & DALLAS COUNTIES, TEXAS,
CASTING ITS VOTE FOR THE FOURTH MEMBER OF THE BOARD OF
DIRECTORS OF THE DALLAS CENTRAL APPRAISAL DISTRICT.**

WHEREAS, Ellis County eligible taxing entities have expressed and approved an option which allows for representation to the Appraisal District Board of Directors (in accordance with the Section 6.03 of the Texas Property Tax Code) as follows:

1. **The City of Ovilla shall appoint one (1) member to the Board.**
2. The _____ Independent School District shall appoint one (1) member to the Board.
3. The Ellis County Commissioners Court shall appoint one (1) member to the Board. The member appointed by the Ellis County Commissioners Court shall not be a resident of either the City of Ovilla or the _____ Independent School District.
4. Each of the incorporated cities and towns, except for the City of Ovilla, shall have the right to nominate by an official resolution one (1) candidate as the fourth member of the Board of Directors. The said cities and towns shall, from the nominations received, elect by a majority vote, with each city and town being entitled to one (1) vote, the fourth member of the Board of Directors.
5. Each of the independent school districts, except for the _____ Independent School District, shall have the right to nominate by an official resolution one (1) candidate as the fifth member of the Board of Directors. The said independent school districts shall, from the nominations received, elect by a majority vote, with each independent school district being entitled to one (1) vote, the fifth member of the Board of Directors.

The votes required for election to the Board of Directors in 4 and 5 hereof shall be by a majority of those authorized to vote in 4 and 5 respectively and not by a majority of the quorum, and

WHEREAS, the City of Ovilla does hereby cast its vote by marking the ballot below: (Check one only)

- Wanda Adams**
- Loren Byers**
- Michael Hurtt**
- Gerlad W. Lemons**

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Ovilla does hereby confirm its one (1) vote for the election of Michael Hurtt as the suburban cities' representative to the Board of Directors of the Dallas Central Appraisal District.

PASSED AND APPROVED, this the 12 day of November, 2013

MAYOR Richard A. Dormier

ATTEST:

CITY SECRETARY Pamela Woodall



Ovilla City Council

AGENDA ITEM REPORT

Item(s): 7 (City Secretary use only)

Meeting Date: November 12, 2013

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Amount:

Attachments:

1. Member List
2. Board applications (2)

Agenda Item / Topic:

ITEM 7. **DISCUSSION/ACTION** – Consider appointments/reappointments to the Municipal Development District.

Discussion / Justification:

The terms of office for the Municipal Development District are set at two-years, staggered by place number. Places 1, 3 and 5 expire in November (or until a successor is appointed).

Expiring terms:

Place 1, Sandra Fitzgerald

Place 3, Charles Daniels

Place 5, John Sawyers

Place 4 was vacated by former Mayor Tom Leverentz. It is still vacant. Staff has received two applications but the applicants' interests to serve were not noted for the MDD Board. Staff has inquired if either applicant would be interested to serve on the MDD. One applicant, Mr. Scivally, responded that he would be happy to serve on any board and/or any committee.

Recommendation / Staff Comments:

Sample Motion(s):

"I move that Council Approves/Denies the reappointment of the following:

"

"I move that Council Approves the appointment of: _____ to fill the vacancy of Place 4 for the remaining term."



105 South Cockrell Hill Road
Ovilla, Texas 75154
Ph: (972) 617-7262 Fax: (972) 515-3221

**INFORMATION
SHEET**

Administration use only

MUNICIPAL DEVELOPMENT DISTRICT – (EST. 11.03.2009)

TERM 2 YR EXP. 11.2014

Vacant – PL 4

TERM 2 YR - EXP. 11.2014

BRYUM-Key, Barbara - PL 2

305 Shadowwood

Ovilla, TX 75154

Hm:

Hm:

Wk:

Wk: retired

Cell:

Cell:

Personal E-Mail:

Personal Email:

TERM 2 YR – EXP. 11.2013

DANIELS, Charles - PL 3

601 Edgewood

Ovilla, TX 75154

TERM 2 YR – EXP. 11.2013

SAWYERS, John - PL5

112 Circle Drive

Ovilla, TX 75154

Hm:

Hm:

WK:

WK: retired

Cell:

Cell:

Personal E-Mail:

Personal E-Mail:

TERM 2 YR – EXP. 11.2013

FITZGERALD, Sandra – PL 1

403 Shadowwood Trail

Ovilla, TX 75154

Hm:

WK: Retired

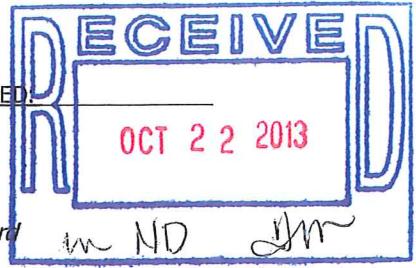
Cell:

Personal email:

DATE RECEIVED:



This Information is a Public Record
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To race, color, national origin, religion, sex or disability.



**CITY OF OVILLA
BOARDS AND COMMISSIONS
INFORMATION STATEMENT AND APPLICATION**

The City of Ovilla desires qualified, interested citizens to serve on city boards and/or commissions. We appreciate your interest in Ovilla's current needs and future. If you believe you meet the requirements and have the allowed time to serve on a board or commission, please complete the following.

Board and commission members must meet the required qualifications listed below:

- ❖ Be a resident of the city for at least 6 months prior to date of appointment;
- ❖ Be a qualified voter at the time of the appointment;
- ❖ Have no criminal record that is considered by the City Council to be so serious that it serves as a disqualification (i.e. felony conviction);
- ❖ Not be an adversary party to pending litigation or claim against the city (except for eminent domain proceedings);
- ❖ Not to be an employee or a business associate of either an adversary party or a representative of an adversary party;
- ❖ Not in arrears on city taxes, water service charges or other obligations owed to the city; and
- ❖ Have a creditable record of attendance and performance in any previous board service.

If you are interested in applying for more than one position, please indicate the order of your preference by placing a number in the space to the left of the board/commission/committee for which you are applying (#1 being your 1st choice, #3 being your last choice)

BOARDS AND COMMISSIONS

Planning and Zoning Commission
 Board of Adjustment
 Economic Development Corporation
 Municipal Development District

MEETING INFORMATION

1ST Monday of each month – 7:00 PM
3RD Monday of each month – 7:00 PM
Every other 4TH Monday – 6:00 PM
Undetermined

NAME

Carol Richtsmeier

HOME ADDRESS

925 Red Oak Creek Dr., Ovilla,
TX 75154

HOW LONG HAVE YOU LIVED IN OVILLA?

1988

EMAIL

HOME TELEPHONE

...

USINESS TELEPHONE

PROFESSION

realtor, retired school teacher

INTERESTS real estate, education, public safety,
writing, photography, community growth

1.) DO YOU HAVE EXPERIENCE THAT WOULD QUALIFY YOU FOR SERVING ON A PARTICULAR COMMITTEE?

no professional experience but served on numerous committees as an educator & am skilled as a communicator.

2.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION IN OVILLA?

NO

3.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION FOR ANOTHER MUNICIPALITY? NO

If yes to one or both, please list the municipality, committee and dates served:

4.) PLEASE LIST ANY CIVIC OR COMMUNITY ACTIVITIES IN WHICH YOU MAY HAVE PARTICIPATED.

* member & Secretary of the Beta Iota chapter of Alpha Delta Kappa, an honorary organization for women educators which raises scholarship money as well as other philanthropic endeavors * board member of the →

5.) DO YOU HAVE ANY RELATIVES THAT ARE CITY EMPLOYEES, MEMBER OF THE CITY COUNCIL OR SERVE ON ANY BOARD? (YES OR NO) If yes, please list:

6.) WHAT IS YOUR CURRENT PLACE OF EMPLOYMENT OR BUSINESS AFFILIATION? (Please indicate if you are self-employed, home-maker, retired) realtor, retired school teacher

STATEMENT OF INTENT: If appointed, I agree to serve on the Board/Commission for which I have applied.

Carol Richtsmeier
SIGNATURE

Oct. 21, 2013
DATE

Carol Richtsmeier
PRINTED NAME OF APPLICANT



CITY OF OVILLA OFFICIAL USE ONLY

DATE APPOINTED _____ COMMITTEE APPOINTED TO _____

RETURN TO CITY HALL,
105 SOUTH COCKRELL HILL ROAD,
OVILLA, TX 75154
972-617-7262

ATTENTION: Pamela Higgins

DATE RECEIVED:



OCT 18 2013

JM

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To race, color, national origin, religion, sex or disability.

**CITY OF OVILLA
BOARDS AND COMMISSIONS
INFORMATION STATEMENT AND APPLICATION**

The City of Ovilla desires qualified, interested citizens to serve on city boards and/or commissions. We appreciate your interest in Ovilla's current needs and future. If you believe you meet the requirements and have the allowed time to serve on a board or commission, please complete the following.

Board and commission members must meet the required qualifications listed below:

- ❖ Be a resident of the city for at least 6 months prior to date of appointment;
- ❖ Be a qualified voter at the time of the appointment;
- ❖ Have no criminal record that is considered by the City Council to be so serious that it serves as a disqualification (i.e. felony conviction);
- ❖ Not be an adversary party to pending litigation or claim against the city (except for eminent domain proceedings);
- ❖ Not to be an employee or a business associate of either an adversary party or a representative of an adversary party;
- ❖ Not in arrears on city taxes, water service charges or other obligations owed to the city; and
- ❖ Have a creditable record of attendance and performance in any previous board service.

If you are interested in applying for more than one position, please indicate your top three choices in order of your preference by placing a number in the space to the left of the board/commission/committee for which you are applying (#1 being your 1st choice, #3 being your last choice)

BOARDS AND COMMISSIONS

- 1 Planning and Zoning Commission
- 3 Board of Adjustment
- 2 Economic Development Corporation
- Municipal Development District

MEETING INFORMATION

- 1ST Monday of each month – 7:00 PM
- 3RD Monday of each month – 7:00 PM
- Every 3RD Monday or as necessary – 6:00 PM
- As necessary

NAME

JAMES SCIVALLY

HOME ADDRESS

229 LARIAT TR

HOW LONG HAVE YOU LIVED IN OVILLA?

2 1/2
YRS

EMAIL

J / J /

HOME TELEPHONE

BUSINESS TELEPHONE

PROFESSION

(CELL)

TEACHER

INTERESTS

READING, THEATER, FAMILY TIME, TRAVELING,
CHURCH, SPORTS ACTIVITIES, NHS (HIGH SCHOOL)

1.) DO YOU HAVE EXPERIENCE THAT WOULD QUALIFY YOU FOR SERVING ON A PARTICULAR COMMITTEE?

MY DEGREE IS ECONOMICS. I HAVE TAUGHT HIGH SCHOOL 15 yrs. I'M AN ORDAINED DEACON IN THE BAPTIST CHURCH.

2.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION IN OVILLA?

No

3.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION FOR ANOTHER MUNICIPALITY? No

If yes to one or both, please list the municipality, committee and dates served:

4.) PLEASE LIST ANY CIVIC OR COMMUNITY ACTIVITIES IN WHICH YOU MAY HAVE PARTICIPATED.

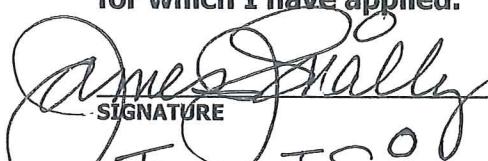
- ❖ ACTIVE VOTER
- ❖ YOUTH GROUP LEADER
- ❖ HIGH SCHOOL COACH & (NHS SPONSOR)

5.) DO YOU HAVE ANY RELATIVES THAT ARE CITY EMPLOYEES, MEMBER OF THE CITY COUNCIL OR SERVE ON ANY BOARD? (YES OR NO) If yes, please list:

6.) WHAT IS YOUR CURRENT PLACE OF EMPLOYMENT OR BUSINESS AFFILIATION? (Please indicate if you are self-employed, home-maker, retired) DALLAS ISD

(SEAGOVILLE HS)

STATEMENT OF INTENT: If appointed, I agree to serve on the Board/Commission for which I have applied.


SIGNATURE

PRINTED NAME OF APPLICANT

10/18/13
DATE



CITY OF OVILLA OFFICIAL USE ONLY

DATE APPOINTED _____ COMMITTEE APPOINTED TO _____

RETURN TO CITY HALL,
105 SOUTH COCKRELL HILL ROAD,
OVILLA, TX 75154
972-617-7262

ATTENTION: Pamela Woodall



Ovilla City Council

AGENDA ITEM REPORT

Item(s):8 (City Secretary use only)

Meeting Date: November 12, 2013

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Amount:

Attachments:

1. Member List
2. Board applications (2)

Agenda Item / Topic:

ITEM 8. **DISCUSSION/ACTION** – Consider an appointment to the Board of Adjustment to fill an alternate member vacancy.

Discussion / Justification:

The Board of Adjustment consists of a five-member board and two alternates. One alternate position, Place 7 is still vacant.

Staff received two board applications. (Same applications as noted in Item 7).

Recommendation / Staff Comments:

Sample Motion(s):

"I move that Council Approves/Denies the appointment of _____ to serve a term as Place 7 on the Board of Adjustment as an alternate member."

**Board of Adjustment
Information Sheet**

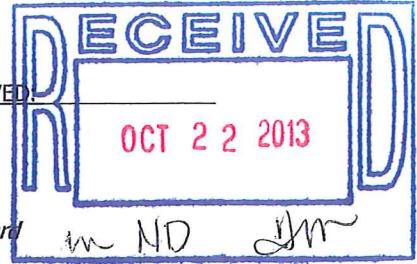
Last Update: 07.2013

Rarick, Patricia (Kenneth) (2015) PL1	Cearley, Julia (Tom) (2014) – CHAIR PL2
109 Oak Forest Lane	804 Ovilla Oaks Dr.
Ovilla, TX 75154	Ovilla, TX 75154
Hm: _____	Hm: _____
Cell: _____	Cell: _____
E-Mail: _____	E-Mail: _____
Betik, Barbara (2015) – V-CHAIR PL3	Albright, Stephanie (2014) PL4
601 Buckboard Trail	206 Split Rock Terrace
Red Oak, TX 75154	Ovilla, TX 75154
Hm: _____	Hm: _____
Wk: _____	Wk: _____
E-Mail: _____	E-Mail: _____
Ware, Richard S. Jr. (2015) PL5	
116 Water Street	
Ovilla, TX 75154	
Hm: _____	
Cell: _____	
E-Mail: _____	
ALTERNATES	
Vacant ((2015) PL7	Ham, Jeanne (2014) PL6
	106 Oak Forest Lane
	Ovilla, TX 75154
Hm: _____	Hm: _____
Wk: _____	Wk: Retired
Cell: _____	Cell: _____
E-Mail: _____	E-Mail: _____

DATE RECEIVED:



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**CITY OF OVILLA
BOARDS AND COMMISSIONS
INFORMATION STATEMENT AND APPLICATION**

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- ❖ Be a qualified voter at the time of the appointment;
- ❖ Have no criminal record that is considered by the City Council to be so serious that it serves as a disqualification (i.e. felony conviction);
- ❖ Not be an adversary party to pending litigation or claim against the city (except for eminent domain proceedings);
- ❖ Not to be an employee or a business associate of either an adversary party or a representative of an adversary party;
- ❖ Not in arrears on city taxes, water service charges or other obligations owed to the city; and
- ❖ Have a creditable record of attendance and performance in any previous board service.

If you are interested in applying for more than one position, please indicate the order of your preference by placing a number in the space to the left of the board/committee for which you are applying (#1 being your 1st choice, #3 being your last choice)

BOARDS AND COMMISSIONS

Planning and Zoning Commission
 Board of Adjustment
 Economic Development Corporation
 Municipal Development District

MEETING INFORMATION

1ST Monday of each month – 7:00 PM
3rd Monday of each month – 7:00 PM
Every other 4th Monday – 6:00 PM
Undetermined

NAME

Carol Richtsmeier

HOME ADDRESS

925 Red Oak Creek Dr., Ovilla,
TX 75154

HOW LONG HAVE YOU LIVED IN OVILLA? 1988

HOME TELEPHONE

BUSINESS TELEPHONE

PROFESSION

realtor, retired school teacher

INTERESTS

real estate, education, public safety,
writing, photography, community growth

1.) DO YOU HAVE EXPERIENCE THAT WOULD QUALIFY YOU FOR SERVING ON A PARTICULAR COMMITTEE?

no professional experience but served on numerous committees as an educator & am skilled as a communicator.

2.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION IN OVILLA?

no

3.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION FOR ANOTHER MUNICIPALITY? no

If yes to one or both, please list the municipality, committee and dates served:

4.) PLEASE LIST ANY CIVIC OR COMMUNITY ACTIVITIES IN WHICH YOU MAY HAVE PARTICIPATED.

* member & Secretary of the Beta Iota Chapter of Alpha Delta Kappa, an honorary organization for women educators
* which raises scholarship money as well as other philanthropic endeavors * board member of the →

5.) DO YOU HAVE ANY RELATIVES THAT ARE CITY EMPLOYEES, MEMBER OF THE CITY COUNCIL OR SERVE ON ANY BOARD? (YES OR NO) If yes, please list:

6.) WHAT IS YOUR CURRENT PLACE OF EMPLOYMENT OR BUSINESS AFFILIATION? (Please indicate if you are self-employed, home-maker, retired) Realtor, retired school teacher

STATEMENT OF INTENT: If appointed, I agree to serve on the Board/Commission for which I have applied.

Carol Richtsmeier

SIGNATURE

Oct. 21, 2013

DATE

Carol Richtsmeier

PRINTED NAME OF APPLICANT



CITY OF OVILLA OFFICIAL USE ONLY

DATE APPOINTED _____ COMMITTEE APPOINTED TO _____

RETURN TO CITY HALL,
105 SOUTH COCKRELL HILL ROAD,
OVILLA, TX 75154
972-617-7262

ATTENTION: Pamela Higgins

DATE RECEIVED:



This Information is a Public Record
Public Service opportunities are offered by the City Of Ovilla without regard
To race, color, national origin, religion, sex or disability.

OCT 18 2013
JM

**CITY OF OVILLA
BOARDS AND COMMISSIONS
INFORMATION STATEMENT AND APPLICATION**

The City of Ovilla desires qualified, interested citizens to serve on city boards and/or commissions. We appreciate your interest in Ovilla's current needs and future. If you believe you meet the requirements and have the allowed time to serve on a board or commission, please complete the following.

Board and commission members must meet the required qualifications listed below:

- ❖ Be a resident of the city for at least 6 months prior to date of appointment;
- ❖ Be a qualified voter at the time of the appointment;
- ❖ Have no criminal record that is considered by the City Council to be so serious that it serves as a disqualification (i.e. felony conviction);
- ❖ Not be an adversary party to pending litigation or claim against the city (except for eminent domain proceedings);
- ❖ Not to be an employee or a business associate of either an adversary party or a representative of an adversary party;
- ❖ Not in arrears on city taxes, water service charges or other obligations owed to the city; and
- ❖ Have a creditable record of attendance and performance in any previous board service.

If you are interested in applying for more than one position, please indicate your top three choices in order of your preference by placing a number in the space to the left of the board/commission/committee for which you are applying (#1 being your 1st choice, #3 being your last choice)

BOARDS AND COMMISSIONS
1 Planning and Zoning Commission
3 Board of Adjustment
2 Economic Development Corporation
— Municipal Development District

MEETING INFORMATION
1ST Monday of each month – 7:00 PM
3rd Monday of each month – 7:00 PM
Every 3rd Monday or as necessary – 6:00 PM
As necessary

NAME JAMES SCIVALLY
HOME ADDRESS 229 LARIAT TR

HOW LONG HAVE YOU LIVED IN OVILLA? 2 1/2 yrs EMAIL JJ

HOME TELEPHONE --- BUSINESS TELEPHONE ---

PROFESSION (CELL) TEACHER

INTERESTS READING, THEATER, FAMILY TIME, TRAVELING,
CHURCH, SPORTS ACTIVITIES, NHS (HIGH SCHOOL)

1.) DO YOU HAVE EXPERIENCE THAT WOULD QUALIFY YOU FOR SERVING ON A PARTICULAR COMMITTEE?

My DEGREE IS ECONOMICS. I HAVE TAUGHT HIGH SCHOOL 15 yrs. I'M AN ORDAINED DEACON IN THE BAPTIST CHURCH.

2.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION IN OVILLA?

NO

3.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION FOR ANOTHER MUNICIPALITY? NO

If yes to one or both, please list the municipality, committee and dates served:

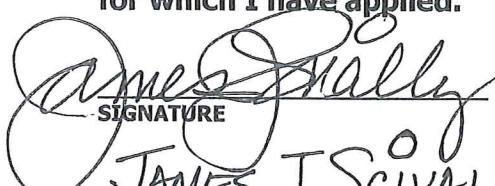
4.) PLEASE LIST ANY CIVIC OR COMMUNITY ACTIVITIES IN WHICH YOU MAY HAVE PARTICIPATED.

- ❖ ACTIVE VOTER
- ❖ YOUTH GROUP LEADER
- ❖ HIGH SCHOOL COACH & (NHS SPONSOR)

5.) DO YOU HAVE ANY RELATIVES THAT ARE CITY EMPLOYEES, MEMBER OF THE CITY COUNCIL OR SERVE ON ANY BOARD? (YES OR NO) If yes, please list:

6.) WHAT IS YOUR CURRENT PLACE OF EMPLOYMENT OR BUSINESS AFFILIATION? (Please indicate if you are self-employed, home-maker, retired) DALLAS ISD
(SEAGOVILLE HS)

STATEMENT OF INTENT: If appointed, I agree to serve on the Board/Commission for which I have applied.


SIGNATURE

PRINTED NAME OF APPLICANT

10/18/13
DATE



CITY OF OVILLA OFFICIAL USE ONLY

DATE APPOINTED _____ COMMITTEE APPOINTED TO _____

RETURN TO CITY HALL,
105 SOUTH COCKRELL HILL ROAD,
OVILLA, TX 75154
972-617-7262

ATTENTION: Pamela Woodall

AGENDA ITEM REPORT

Item(s): 9 (City Secretary use only)

Meeting Date: November 12, 2013

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Cyndy Powell

Amount: \$N/A

Attachments:

1. Letter of Understanding

Agenda Item / Topic:

ITEM 9. **DISCUSSION/ACTION** – Discuss and consider interpretation of the City's Letter of Understanding with the City Administrator pertaining to vacation and take action as necessary.

Discussion / Justification:

It is my understanding that the intent of Item 4 in the Letter of Understanding negotiated for my employment with the City of Ovilla was to provide for two weeks paid vacation in October of 2013. The two weeks paid vacation was not discussed to be "in lieu of earned vacation" and therefore I would continue to accrue vacation at the same rate as other employees each pay period.

The City's Attorney reviewed the Letter on October 03, 2013 and believes the intent was to give two weeks paid vacation in October 2013 prior to the end of the six-month probation period. The City's personnel policy does not allow borrowing unearned vacation (Section 8.1).

Sharon Jungman deleted the vacation hours I had accrued based on her conversation with the Mayor regarding his interpretation of the Letter.

I bring this issue before the Council in an open meeting, as the meaning and intent of the terms in the Letter do not qualify for discussion in closed session.

I am asking Council to approve the restoration of the vacation I have earned, accrued at 3.08 hours per pay period since June 24, 2013.

Recommendation / Staff Comments:

Sample Motion(s):

"I move that Council..."



105 S. Cockrell Hill Road, Ovilla, TX75154 972.617.7262

May 31, 2013

Ms Cynthia Powell
7404 Town Center Blvd. #1210
Rosenberg, TX 77471

RE: Letter of Understanding

Dear Ms Powell:

Pursuant to our May 30, 2013 meeting and the contingent city administrator position offer, the following agreed terms are listed:

**LETTER OF UNDERSTANDING BETWEEN
THE CITY OF OVILLA AND CYNTHIA POWELL**

1. **Cynthia Powell** is employed as the City Administrator effective June 24, 2013.
2. The annual initial salary will be \$80,000 as the total starting compensation for the calculation of all benefits.
3. **Cynthia Powell** will be compensated a total \$2,000 moving expenses with the submittal of paid receipts for such expenses. If Ms Powell terminates employment with the City of Ovilla before two (2) years, the \$2,000 moving expense will be prorated and reimbursed to the city.
4. Upon employment, **Cynthia Powell** will be permitted a two-week vacation available in October 2013.
5. Professional memberships and annual conferences paid by the City:
 - a. TCMA – TX City Management Association
 - b. ICMA – International City/County Management Association

All other benefits made available to the City of Ovilla employees will be available to **Cynthia Powell** and included with this letter of understanding.

AGREEMENT DATED THIS 15 OF June 2013.

Cynthia Powell, CITY ADMINISTRATOR

Richard A. Dormier, MAYOR

Attachment: Employee Benefit Page

Ltr.Understanding. Powell.06.2013

AGENDA ITEM REPORT
EXECUTIVE SESSION Item(s): 10 (City Secretary use only)

Meeting Date: November 12, 2013

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Council

Amount: \$

Attachments:

1. Confidential report

Agenda Item / Topic:

Closed Meeting called pursuant to Texas Government Code § 551.071 – Consultation with Attorney.

ITEM 10. *DISCUSSION/ACTION* – The City Council will meet in a closed session pursuant to Section 551.071 of the Texas Government Code to consult with, and seek advice from, the City Attorney on a matter in which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of the Texas Open Meetings Act regarding variances to the City's Building Standards Ordinance.

Discussion / Justification:

Council will review sections regarding variances and the City's Building Standards with legal counsel Ron MacFarlane.

Recommendation / Staff Comments:

Sample Motion(s):

"I move that Council Approves/Denies _____."
Or
NO Action.