

City of *OVILLA* City Council

Dean Oberg, Place Two
David Griffin, Place Three

Richard Dormier, Mayor
Kimberly Case, Place One, Mayor Pro Tem

Doug Hunt, Place Four
Brad Piland, Place Five

Monday, July 10, 2023

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

Council Chamber Room

AGENDA

NOTICE is hereby given of a Regular Meeting of the City Council of the City of Ovilla, to be held on **Monday, July 10, 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 PL5 Piland
- U.S. Pledge of Allegiance and TX Pledge - led PL2 Oberg

II. COMMENTS, PRESENTATIONS, ANNOUNCEMENTS, PROCLAMATIONS

PRESENTATIONS:

- Presentation of the Best Southwest Mayoral Scholarship to Gabriella Noice

ANNOUNCEMENTS:

- Budget Workshops
 - July 18, 2023, at 5:00 p.m.
 - July 19, 2023, at 5:00 p.m.; 5:30 p.m.; 6:00 p.m.
 - July 24, 2023, at 5:30 p.m.
- Cyber Security Training Due August 31, 2023

CITY MANAGER UPDATE:

- Red Oak ISD Middle School
- City Engineer Agreement
- Finance Clerk Position
- City Prosecutor
- Development Process
- Website Update
- Heritage Day
- Traffic Calming Devices

III. 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. Sec. 551.071 (1) and (2), of the Texas Government Code: Consultation with Attorney: Consultation with the City's Attorney to seek the advice of its attorney about pending or

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contemplated litigation or a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act: Complaints and Claims Management

IV. 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.

V. 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.

VI. PUBLIC HEARING

P1 Hold a **Public Hearing** to receive public comment on the amendment of land use assumptions, service areas, and capital improvements plans for water and wastewater facilities and amended water and wastewater impact fees. The City of Ovilla's Advisory Committee has recommended to the City Council that the fees be adopted at the maximum fee amount of \$3,355.31 per water impact service unit and \$5,314.75 per sewer impact service unit.

a. PRESENTATION - Review by staff.

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

VII. CONSENT AGENDA

All matters listed under the Consent Agenda, are considered to be routine by the City Council and will be acted upon by one motion. There will not be a separate discussion of these items. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the City Council.

C1. Financial Transactions over \$5,000

C2. Minutes of the Regular Council Meeting June 12, 2023

VIII. REGULAR AGENDA

ITEM 1. DISCUSSION/ACTION – Consideration of and action on Ordinance 2023-13 An ordinance of the City of Ovilla, Texas, amending the Code of Ordinances, City of Ovilla, Texas, by adopting and codifying the revised Land Use Assumptions, Capital Improvements Plans, and Impact Fees for water and wastewater facilities, as set forth in Exhibit "A" hereto, to be codified as Division 2, renamed as "Water and Wastewater Impact Fee Update 2023 to 2033" of Article 13.04, "Water and Sewer Impact Fees" of Chapter 13, "Utilities" and to amend Section A7.009, "Impact Fees" of Appendix "A" "Fee Schedule" of the Code of Ordinances of the city in order to adopt updated water and wastewater impact fees and capital improvement plans for water distribution and wastewater collection; providing for the incorporation of premises; providing for the repeal of the five-year water and wastewater impact fee review; providing for the adoption of updated land use assumptions, service areas and capital improvement plans for water and wastewater facilities 2022-2032; providing for amendments to Chapter 13, "Utilities" and Appendix "A", "Fee Schedule"; providing a cumulative repealer clause; providing for severability; providing for engrossment and

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enrollment; providing for publication; and providing an effective date.

- ITEM 2. **DISCUSSION/ACTION** – Consideration of and action on a recommendation from the 2023 Board Review Committee to act on appointments or reappointments to the Ovilla Planning and Zoning Commission.
- ITEM 3. **DISCUSSION/ACTION** – Consideration of and action on a recommendation from the 2023 Board Review Committee to act on appointments or reappointments to the Ovilla Economic Development Corporation.
- ITEM 4. **DISCUSSION/ACTION** – Consideration of and action to accept the resignation of Director William Garner Place 1 from the Economic Development Corporation.
- ITEM 5. **DISCUSSION/ACTION** – Consideration of and action on a recommendation from the 2023 Board Review Committee to make an appointment to a one-year unexpired term of Place 1 to the Economic Development Corporation.
- ITEM 6. **DISCUSSION** – Discuss potential restrictions for city-owned property located at 708 Main St. (693 J McNamara 1.97 Acres, 693 J McNamara 0.46 Acres, and 693 J McNamara 0.43 Acres).
- ITEM 7. **DISCUSSION/ACTION** – Consideration of any item(s) pulled from the Consent Agenda for individual consideration and action.

IX. RECEIVE DEPARTMENTAL REPORTS – NO ACTION OR DISCUSSION

• **Departmental Reports**

- Police Department Police Chief J. Bennett
- Fire Department Fire Chief B. Kennedy
- Public Works Department Public Works Director J. Kuykendall
- Finance Department Finance Director E. Scott
- City Secretary City Secretary B. Taylor

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

XI. ADJOURNMENT

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF July 10, 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 7th day of July 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.



B. Taylor

Bobbie Jo Taylor, City Secretary
TRMC, CMC

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This facility is ADA-compliant. If you plan to attend this public meeting and have a disability that requires special arrangements, please call 972-617-7262 at least 48 hours in advance. Reasonable accommodation will be made to assist your needs. PLEASE SILENCE ALL CELL PHONES & OTHER ELECTRONIC EQUIPMENT WHILE THE CITY COUNCIL MEETING IS IN SESSION.

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.