

CITY OF OVILLA MINUTES

Monday, April 13, 2015

City Council Briefing Session

105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Dormier called the Council Briefing Session of the Ovilla City Council to order at 6:00 P.M. The following City Council Members were present:

Rachel Huber	Council Member, Place 1
Larry Stevenson	Council Member, Place 2 (arrived at 6:20 p.m.)
David Griffin	Mayor Pro Tem, Place 3
Doug Hunt	Council Member, Place 4
Dean Oberg	Council Member, Place 5

Mayor Dormier announced present Council members, thus constituting a quorum. Various department-heads and staff were also present. Staff presented Council with future agenda items and pending items still under staff review.

CONDUCT A BRIEFING SESSION to review and discuss future agenda items.

- a. "Music in the Park" event planned by the Parks Board and staff to occur June 06 – staff will continue planning and report to Council.
- b. Ordinance 2015-XXX Dumpster Ordinance, permitting and fee schedule revision – still pending.
- c. MISD Site Plans and Agreement (May 04 to P&Z and May 11 to Council)
- d. Revisions to Code of Ordinances (Sefko – May 11)
- e. Planned Development Ordinance - May 11
- f. Developer's Agreement for Bryson Manor – Staff conducted at meeting at Ovilla City Hall this date with MISD representatives.
- g. Bryson Manor Phase 1, Final Plat – hoping for a Special Meeting to consider on this item before the May 11. Regular Council meeting.
- h. Recommendation of Fire Chief Appointment – May 11 – Interim CA Jackie Lee conducted interviews; still conducted backgrounds and will bring recommendation to Council.
- i. Re-plat in the ETJ – May 11 – Will be presented to the Planning and Zoning Commission May 04 to replat acreage in Tangle Hollow Phase 11.
- j. Board renewals and appointments – City Secretary will prepare reports including Board member responses of interest to serve another term; present new applications.

PENDING AGENDA Items still under staff review

- k. Ordinance 2015- XXX Storm Water Management – Expect to have Ordinance/resolution to Council at the May 11 Council meeting.
- l. Ordinance implementing a 50/50 sidewalk maintenance program – still under review.
- m. Developer's Agreement/Planned Development
- n. Mid-year Budget Revisions
- o. Review of water rates increase – still under review.
- p. Comptroller's Transparency Award Update – pending 2013-2014 FY Audit approval

CONDUCT A BRIEFING SESSION to review and discuss agenda items for the 6:30 p.m. regular meeting.

Mayor Dormier and Council reviewed items listed on the 6:30 p.m. agenda that included the Public Hearing and Regular Meeting agenda items.

ADJOURNMENT

Mayor Dormier adjourned the Briefing Session of the Ovilla City Council at 6:20 p.m.

ATTEST:


Pamela Woodall, City Secretary




Richard Dormier, Mayor

Approved May 11, 2015

CITY OF OVILLA MINUTES

Monday, April 13, 2015

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 6:30 P.M. The following City Council Members were present:

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

Mayor Dormier announced present Council members, thus constituting a quorum. Various department-heads and staff were also present.

Brian Treadaway, Vertical Church gave the Invocation and Mayor Dormier led the recitation of the Pledge of Allegiance.

COMMENTS, PRESENTATIONS, REPORTS AND/OR APPOINTMENTS

Mayor Dormier gave reminder of the Annual Clean-Up Day in Ovilla to be held on April 25, 8:00 a.m. – noon at the corner of Cockrell Hill and Westlawn Drive.

• ***Citizens Comments / Citizens Forum:***

1. Mr. Sid Clyburn, 116 Cumberland Drive – voiced unhappiness over his high utility bill (sewer bill).
2. Mr. Marc Dobson, 521 Savannah Drive – from the Episcopal Church voiced pleasure to be in Ovilla. He wanted to meet Council and ask that Council keep growth in Ovilla moving slowly.

• **Department Activity Reports / Discussion** – staff presented their reports.

- Police Department Police Chief M. Moon
 - Monthly Report
 - Mayor Pro-Tem asked that a plaque be made for retired Lieutenant Mollie Dox.
- Fire Department Fire Marshal Kevin Lindsey
 - Monthly Report
- Public Works Public Works Director B. Piland
 - Monthly Report
- Finance Department City Accountant L. Harding
 - February 2015 Monthly Financials
 - Received 95% Property taxes. Sales tax is down about 10%
- Administration
 - Activity Report Interim CA MS Lee
 - Monthly Municipal Court Report City Secretary P. Woodall
 - Monthly Code/Animal Control Reports Code/AC Officer M. Dooly was unable to attend due to illness.

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.

- C1. February 2015 Financial Transactions over \$5,000
- C2. ONCOR Resolution R2015-008 for continued membership and approved assessment
- C3. Minutes of the March 09, 2015 Briefing Session and Regular City Council Meeting

PL4 Hunt moved that Council approve the Consent Items as presented, seconded by PL1 Huber. *No oppositions, no abstentions.*

VOTE: The motion to approve carried unanimously: 5-0.

REGULAR AGENDA

1. **DISCUSSION/ACTION – Consider** acceptance of the Annual Fiscal Year Audit Report for the year ending September 30, 2014, prepared and presented by Yeldell, Wilson and Company, C.P.A., P.C.

Mr. Greer Yeldell, with Yeldell, Wilson & Co., C.P.A. presented a brief summary of the audit stating the following:

1. The General Fund was slightly under budget for the fiscal year holding a strong fund balance reserve of 216 days. (25% Fund Balance reserve is mandated concurring with Resolution 2013-002)
2. The Water & Sewer Fund was a little short on revenue but under budget on expenses, leaving the fund in the positive \$132,000.
3. The Budget Actual vs the Budget Account was in the positive \$476,160
4. A deficiency in internal control exists in that the firm prepares financial statements, however, this is not unusual for a municipality of Ovilla's size.
5. Four notes of potential benefit were given as effective controls in management policies.

Mayor Pro-Tem moved that Council approve the Annual Financial Audit Report for the year ending September 30, 2014, prepared by Yeldell, Wilson and Company, seconded by PL5 Oberg. *No oppositions, no abstentions.*

VOTE: The motion to approve carried unanimously: 5-0.

2. **DISCUSSION/ACTION – Consideration** of and action on Resolution R2015-009 amending the Ovilla Employee Personnel Policies Handbook, Section 10.12, All Weapons Banned, authorizing the Animal Control Officer the permission and use of carrying a firearm (shotgun) in the course of Animal Control duties.

The City of Ovilla Employee Personnel Policies Handbook limits firearms in city vehicles to police officers only. The state allows Animal Control Officers to euthanize by shotgun in specific circumstances where an animal is gravely wounded or injured and no owner can be located, *and* the animal is in a location or can be transported to a location of complete safety to discharge a firearm. There is no license or certification required for anyone to carry a shotgun, only a level of training the Animal Control officer may require in operating a shotgun. The Ovilla Chief of Police and/or the weapons training officer of the Ovilla Police Department will determine proper and safe use of the shotgun according to standards set by the Ovilla Police Chief and the SOP's (Standard Operating Procedures) of the Animal Control Department that will be developed and implemented and approved by the City Administrator.

PL5 Oberg moved that Council approve Resolution R2015-009, amending the Ovilla Employee Personnel Policies Handbook, Section 10.12, All Weapons Banned, authorizing the Animal Control Officer the permission and use of carrying a firearm (shotgun) in the course of animal control duties, seconded by PL1 Huber. *No oppositions, no abstentions.*

VOTE: The motion to approve carried unanimously: 5-0.

Richard Dormier, Mayor
Rachel Huber, Place One
Larry Stevenson, Place Two

Doug Hunt, Place Four
David Griffin, Place Three
Dean Oberg, Place Five

3. **DISCUSSION/ACTION – Consideration** of and action on the necessity to update the 2010 Comprehensive Land Use Plan and direct staff as necessary for the preparation of a RFQ for qualified consultants, the creation of an Ovilla Comprehensive Land Use Plan (CLUP) Committee and solicitation for interested volunteer committee appointments.

Chapter 219 of the Local Government Code empowers cities to adopt a comprehensive plan for the long range development of the municipality. Section 211.004 of the TX Local Government Code, states zoning regulations must be adopted in accordance with a comprehensive plan. It is recommended that review and modifications to the Plan be completed every five years. Ovilla’s current plan update occurred in 2010. The consensus of the Council was to direct staff to review components and prepare an update in-house.
NO ACTION.

EXECUTIVE SESSION

Mayor Dormier announced that Council and Interim City Administrator MS Jacqueline Lee would adjourn into Executive under at 7:12 p.m., Section 551.074 Personnel matters.

4. **DISCUSSION/ACTION** – Deliberate the appointment employment, and/or duties of the Interim City Administrator and/or permanent City Administrator.

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).

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

Mayor, Council and MS Lee reconvened into regular session at 8:04 p.m. No decisions were made in Executive Session.

NO ACTION.

REQUESTS FOR FUTURE AGENDA ITEMS AND/OR ANNOUNCEMENTS

No ANNOUNCEMENTS.

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| 1. PL1 Huber | None |
| 2. PL2 Stevenson | None |
| 3. Mayor Pro Tem | Discuss Streets and paving |
| 4. PL4 Hunt | None |
| 5. PL5 Oberg | Review Ovilla’s Code on roofing permits |

ADJOURNMENT

PL1 Huber moved to adjourn the meeting, seconded by PL4 Hunt. There being no further business, Mayor Dormier adjourned the meeting at 8:07 p.m.

ATTEST:


 Pamela Woodall, City Secretary

Executive Agenda filed separately.




 Richard Dormier, Mayor

Approved May 11, 2015