

# CITY OF OVILLA MINUTES

*Monday, August 10, 2015*

*City Council Briefing Session*

*105 S. Cockrell Hill Road, Ovilla, TX 75154*

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Mayor Dormier called the Council Briefing Session of the Ovilla City Council to order at 6:01 p.m., with notice of the meeting duly posted. The following City Council Members were present:

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

Mayor Dormier announced present Council members, thus constituting a quorum. City Manager Dennis Burn, various department directors 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.**

- Status on IT replacement – City Manager Dennis Burn advised that he was interviewing a few companies and looking at options.
- Implementation of 50/50 sidewalk maintenance program – This will be included in the budget. A policy/agreement between the City and the customer will be established.
- Heritage Day progress – Mayor Pro Tem shared the status of the annual Ovilla celebration.

**PENDING AGENDA Items still under staff review**

- Abandonment of Bryson Lane – Pending
- Consideration of and action to appoint a committee to serve as members of the Comprehensive Land Use Plan Committee to update the Ovilla Comprehensive Use Plan. – Staff plans to present this to Council at the September Regular Meeting.
- Updates on Midlothian ISD: Costs to the road, Ovilla’s share of cost, pending development agreement with MISD, and update on annexation of Shiloh Road. A Resolution will be presented to Council soon.

**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.

No questions for the 6:30 p.m. Agenda.

**ADJOURNMENT**

Mayor Dormier adjourned the Briefing Session of the Ovilla City Council at 6:22 p.m.

ATTEST:

  
Pamela Woodall, City Secretary



  
Richard Dormier, Mayor

*Approved October 13, 2015*

# CITY OF OVILLA MINUTES

*Monday, August 10, 2015*

*Regular City Council Meeting*

*105 S. Cockrell Hill Road, Ovilla, TX 75154*

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Mayor Dormier called the Regular Council Meeting of the Ovilla City Council to order at 6:32 p.m., with notice of the meeting duly posted. The following City Council Members were present:

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

Mayor Dormier announced present Council members, thus constituting a quorum. City Manager Dennis Burn, various department directors and staff were also present.

Pastor Vernon Sansom gave the Invocation and Place 1 Huber led the recitation of the Pledge of Allegiance.

## **COMMENTS, PRESENTATIONS, REPORTS AND/OR APPOINTMENTS**

- Mayor Dormier read and presented a Proclamation to the NSDAR – Constitution Week, Chapter NSDAR
- Mayor Dormier recognized Mr. John Knight as the new state representative for CASA.

### ***Citizens Comments / Citizens Forum:***

There was no one to speak.

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

- Police Department Lieutenant J. Bennett
  - City Manager Burn complimented Lt. Bennett for keeping the department running smoothly while the search for a police chief was underway.
  - Lt. Bennett advised that he was currently reviewing two applicants for police officer positions, taking inventory of the building and doing some clean up.
- Fire Department Fire Chief B. Kennedy
  - Gave the monthly report.
- Public Works Public Works Director B. Piland
  - Gave monthly report.
  - PW Director Piland shared that crews were working on the installation of the 12" water line on Water Street.
  - Phase 1 Bryson Manor was underway.
- Finance Department City Accountant L. Harding
  - June 2015 Monthly Financials
- Administration City Administrator D. Burn
  - Gave activity reports.
  - Gave monthly Municipal Court Report. City Secretary P. Woodall
  - Gave monthly Code/Animal Control Reports. Code/AC Officer M. Dooly
    - Monthly Building Permits were reviewed.

## **CONSENT AGENDA**

- C1.** Ordinance 2015-020 of the City of Ovilla, Texas, amending Ordinance 2015-015 of the City of Ovilla by providing an exemption to the City's Dumpster regulations for temporary plywood

bins used during residential construction; providing a savings clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for immediate effect; providing for publication.

- C2. June 2015 Financial Transactions over \$5,000
- C3. Quarterly Investment Report
- C4. Committed Fund Balance Report(s)
- C5. Annual Contract 2016 – Technical Services Fee Schedule with Trinity River Authority of TX
- C6. Minutes of the July 13, 2015 Briefing Session and Regular City Council Meeting
- C7. Minutes of the July 02, 2015 Special Council Meeting Budget Workshop
- C8. Minutes of the June 29, 2015 Special Council Meeting Budget Workshop

Mayor Pro Tem Hunt moved to pull C3 from the Consent Items for separate consideration. Accountant Linda Harding advised she would return to the next Council meeting with clarity on the Investment Report. No Action was taken on C3.

Mayor Pro Tem Hunt moved to approve Consent Items C1 – C8 (omitting C3) as presented, seconded by PL5 Oberg.

*No oppositions, no abstentions.*

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

***The numbering below tracks the items of the agenda whereas the order of consideration varied.***

**REGULAR AGENDA**

Mayor Dormier moved the order of the agenda to address Item 4.

- 4. ***DISCUSSION/ACTION*** – Consideration of and action on an Agreement by and between the City of Ovilla and Orasi, for a Strategic Plan, authorizing the Mayor to execute said Agreement.

The City received one response for a Strategic Plan from Orasi for the City of Ovilla and the EDC. A Review Committee comprised of EDC Directors Ron Sims and David Staalsen made reference inquiries and submitted a recommendation to move forward with negotiations for an agreement. Orasi gave a presentation during the June 22 Regular EDC Meeting. The entire EDC was pleased with Orasi's presentation and directed the City Manager to begin negotiations for an agreement with Orasi and return with an Agreement at the next regularly scheduled meeting. At the July 20, EDC Meeting, staff presented the Agreement. The 4-B EDC unanimously voted on approval of the presented Orasi Strategic Plan Proposal (Agreement). Orasi's priced proposal was broken down into two phases, paid from the EDC Budget.

Phase 1: Community & Economic Development Profile

Phase 2: Comprehensive Strategic Plan

Totaling \$25,500

Jack Thompson, representative with Orasi spoke with Council and staff on Thursday, August 06, during the Budget Workshop, summarizing Orasi's ability and expertise to analyze Ovilla's resources, including the surrounding areas and to develop a plan to execute specific needs relative to economic development for Ovilla.

PL5 Oberg moved that the Council approve the Agreement by and between the City of Ovilla and Orasi for a Strategic Plan, authorizing the Mayor to execute said Agreement as presented, seconded by PL1 Huber. Mayor Pro Tem, PL4 Hunt opposed.

*One opposition, no abstentions.*

***VOTE: The motion to approve carried 4-1.***

1. **DISCUSSION/ACTION** – Review of the proposed Fiscal Year 2015-2016 Budget, discuss the preliminary determination of the tax rate, and direct staff as necessary.

During the August 06, 2015 Special Council Meeting Budget Workshop City Manager Dennis Burn presented a proposed budget using the current rate of \$0.6719. The Municipal Services Advisory Committee presented their recommendations to Council focusing on the equipment needs of the police, fire and public works departments. Staff received direction from Council to proceed with the following:

- Propose the budget with an increased total tax rate from the current same rate of \$0.6719 to \$0.70000.

*Capital Expenditures*

- Include one new police vehicle (consider another at mid-year)
- Patch & repair along Cockrell Hill Road
- Clean ditches along Cockrell Hill Road
- Complete road repair in Ovilla Oaks
- Shiloh Road Bridge east abutment repair
- 50/50 Sidewalk Program

*Personnel*

- No increase in staffing

City Manager Dennis Burn highlighted any recommended revisions to the proposed budget for easy access.  
**NO ACTION.**

2. **DISCUSSION/ACTION** – Consideration of proposed tax rate for the Fiscal Year 2015-2016 Budget and take a record vote.

City Manager Dennis Burn explained a portion of the Truth and Taxation Laws. The tax rate is split into two parts. The first part is the maintenance and operation rate or commonly referred to as the M&O rate. This rate is used to fund the day-to-day operations and is unrestricted revenue. Council sets this rate.

The second part is the debt rate or commonly referred to as the I & S rate. This rate is used to fund any bonds that have been issued by the City. This rate is set by the amount of debt the City is currently paying and is calculated by the Tax Office.

**FINANCIAL IMPACT:**

1. If Council proposes a new rate of \$0.7000 Ad Valorem Revenue will increase by \$63,638, as compared to the current rate of \$0.6719.
2. If Council proposes a rate that is the same rate as last year, \$0.671900 Ad Valorem Revenue will increase by \$164,519 as compared to prior year.
3. If Council proposes the Effective Tax Rate, \$0.640941 Ad Valorem Revenue will increase by \$94,406 as compared to prior year at \$0.6719.
4. If Council proposes the Rollback Rate, \$0.735361 Ad Valorem Revenue will increase by \$143,721 as compared to current rate of \$0.6719.

PL3 Griffin moved that the Council hereby propose the 2015 property tax of \$0.7000 with a Maintenance and Operation rate of \$0.5320 and a debt rate of \$0.1680. This proposed tax rate would increase total taxes in Ovilla by 4.18% (by which it exceeds the current total tax rate), seconded by PL2 Stevenson.

*No oppositions, no abstentions.*

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

3. **DISCUSSION/ACTION** – Consider and schedule dates for two public hearings on the proposed Tax Rate for Fiscal Year 2015-2016.

Section 26.05 of the Tax Code requires that the governing body hold two public hearings, if the entity is proposing a tax increase or proposal to increase total tax revenue. The first notice shall be titled: *NOTICE of PUBLIC HEARING on TAX INCREASE*. The first tax rate hearing may not be held before the 7<sup>th</sup> day after the notice of the public hearing is given. (Tax Code 26.06a) The adoption of the tax rate shall be no less than three days but no more than 14 days after the second public hearing.

PL5 Oberg moved that Council schedule the listed dates and times for two Public Hearings on the Proposed Tax Rate for Fiscal Year 2015-2016 and direct staff to follow Tax Code Laws accordingly for Notice Requirements: The First Public Hearing will be held on Monday, August 24<sup>th</sup> at 5:30 p.m. at the Ovilla City Hall Council Chamber Room. The Second Public Hearing will be held on Thursday, September 3<sup>rd</sup> at 5:30 p.m. at the Ovilla City Hall Council Chamber Room, seconded by PL2 Stevenson.

*No oppositions, no abstentions.*

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

#### **EXECUTIVE SESSION**

At 8.08 p.m., Mayor Dormier announced that pursuant to Section 551.074, Personnel Matters of the TX Open Meetings Act, Council would convene into Executive Session to deliberate on the following items:

5. **DISCUSSION/ACTION** – Consideration of and action on an Employment Agreement between the City of Ovilla and Brian Windham, authorizing the City Manager and Mayor to execute said Agreement.
6. **DISCUSSION/ACTION** – Consideration of and action on the appointment of Brian Windham as the Ovilla Chief of Police.

Mayor Dormier and Council reconvened into Open Session at 8:34 p.m. Mayor Dormier announced that no decisions were made in Executive Session.

PL3 Griffin moved that Council approve the Employment Agreement between the City of Ovilla and Brian Windham, authorizing the City Manager and the Mayor to execute said Agreement, seconded by PL2 Stevenson. *No oppositions, no abstentions.*

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

PL2 Stevenson moved that the Council approve the recommendation of the City Manager with the appointment of Brian Windham as the Ovilla Chief of Police, seconded by PL5 Oberg.

*No oppositions, no abstentions.*

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

#### **REQUESTS FOR FUTURE AGENDA ITEMS AND/OR ANNOUNCEMENTS**

##### **No ANNOUNCEMENTS.**

1. PL1 Huber                      None
2. PL2 Stevenson              None
3. PL3 Griffin                  Would like staff to bring a written complaint policy to Council for review. Reminder that December 2015 will be City Manager D. Burn's 6-month review. Also, would like to consider holding a ribbon cutting at the Ellis County Bar-B-Que.
4. Mayor Pro Tem Hunt      None
5. PL5 Oberg                    None

**ADJOURNMENT**

Mayor Pro Tem, PL4 Hunt moved to adjourn the Council meeting, seconded by PL5 Oberg. There being no further business, Mayor Dormier adjourned the meeting at 8:40 p.m.

ATTEST:



Pamela Woodall, City Secretary

*Executive Session sealed and file separately.*



Richard Dormier, Mayor

**Approved October 13, 2015**