

CITY OF OVILLA MINUTES

Monday, May 09, 2016

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., with notice of the meeting duly posted. Mayor Dormier made the following public announcement asking all individuals to be cognizant of the two signs at the entrance to the Council Chamber room referencing Sections 30.06 and 30.07 of the *Penal Code, persons licensed under Subchapter H, Chapter 411, Government Code may not enter this property with a concealed handgun nor enter this property with a handgun that is carried openly.*

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. Various department directors and staff were also present. Staff presented Council with future agenda items and pending items still under staff review.

CALL TO ORDER

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

City Manager Dennis Burn and Council reviewed each item on the 6:30 p.m. Council agenda sharing questions on items under consent and the regular agenda.

Consent:

- C3 - Consider other investment opportunities.
- C6 - Clarified the extent of the Old Castle Project.
- C7 - Clarified the Birch Agreement.

Staff and Council briefly reviewed the regular agenda items.

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

Mr. Burn reviewed the pending item sharing tentative meeting dates for budget workshops.

1. Budget Calendar

ADJOURNMENT

Mayor Dormier adjourned the Briefing Session of the Ovilla City Council at 6:25 p.m.

ATTEST:


Pamela Woodall, City Secretary





Richard A. Dormier, Mayor

Approved June 13, 2016

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Regular City Council Meeting

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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.

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

COMMENTS, PRESENTATIONS, REPORTS AND/OR APPOINTMENTS

Mayor Dormier read aloud two proclamations: Police Officer Memorial Week and Public Works Week. Following the readings, photos were taken.

• **Citizen Comments**

1. MS Dani Muckleroy, 608 Green Meadows Lane commented on a few items:
 - a. Thanked Mayor Dormier and PL3 Griffin for their donated labor work with the Salvation Army.
 - b. Concerned about mowing blue bonnets and wildflowers before they seed.
 - c. City should consider budgeting for land purchase in the downtown area for park space or a community center.
2. Mr. Phil Lynch, 316 Shadowwood Trail: Property appraisals are increasing.

• **Department Activity Reports and Discussion**

- Police Department Police Chief B. Windham
 - Monthly Report – Department was commended for quick action on two recent incidents.
 - During the “Drugs Turn-In” Ovilla received 79 pounds.
- Fire Department Fire Chief B. Kennedy
 - Monthly Report – Storm sirens were tested and working properly.
- Public Works Public Works Director B. Piland
 - Monthly Report – The Ovilla Annual Clean-up went smoothly.
- Finance Department Accountant L. Harding
 - March 2016 Financials were reviewed.
- Administration City Manager D. Burn
 - City Manager Reports
 - Activity Reports
 - Monthly Board Activity
 - Shiloh Road Annexation-received new drawings and the process for public hearings is underway.

- Monthly Municipal Court Report
- Monthly Code/Animal Control Reports
 - Permits – reviewed.

City Secretary P. Woodall
Code/AC Officer M. Dooly

CONSENT AGENDA

- C1. March 2016 Financial Transactions over \$5,000
- C2. Committed Fund Balance for quarter ending March 31, 2016
- C3. Quarterly Investment Report
- C4. Minutes of the Council Briefing Session and Regular Meeting of April 11, 2016.
- C5. Minutes of the Special Council Meeting of April 19, 2016.
- C6. Contract with Old Castle (Approved Budget Amendment)
- C7. Contract with Birch Communications (Approved Budget Amendment)
- C8. Contract with Fuquay (Approved Budget Amendment)
- C9. Contract with SRRG Interlocal (Approved Budget Amendment)
- C10. Ordinance 2016-10, ATMOS settlement
- C11. Resolution R2016-02, ONCOR procedural schedule
- C12. Cooperative Purchasing Program with Tarrant County

PL2 Stevenson moved to approve the consent items as presented, seconded by PL5 Oberg.
No oppositions, no abstentions.

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

REGULAR AGENDA

ITEM 1. *DISCUSSION/ACTION* – Receive recommendation from the Planning and Zoning Commission to consider and act upon a preliminary plat application filed by Massey Shaw for development of Bryson Manor Subdivision Phase 2.

City Manager Dennis Burn gave the following listed facts on the subdivision, adding that this was the exact same presentation as the Concept Plan shared with Council in December 2015 regarding the developer’s (Shaw Development Group, LLC) request for two variances:

- 1. Alleys for non-perimeter lots narrower than 130 feet wide
- 2. Maximum density of two lots per acre.

The Council’s consensus was favorable for the Concept Plan in December. The Developer was now requesting approval of the preliminary plat.

PRELIMINARY PLAT REQUEST

SUBDIVISION NAME: BRYSON MANOR SUBDIVISION PHASE 2

AUTHORIZED AGENT OF RECORD: Massey Shaw

ENGINEER: Atlas Associates, Inc.

APPLICATION DATE: March 07, 2016

LOCATION: Northeast corner of Shiloh Road and Bryson Road

UTILITIES: City Sewer / Sardis Water

ZONING: R15

PROPOSED LAND USE: Residential Subdivision

MAJOR THOROUGHFARE: Highway 664 Ovilla Road

APPLICANT’S PROPOSAL: Develop 30 lots on residential home sites
Total area in subdivision was listed as 14.602 acres in the city limits of Ovilla.

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

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

Mayor Pro Tem Hunt moved to approve the preliminary plat application filed by Massey Shaw for Bryson Manor Subdivision Phase 2, located at the NE corner of Bryson Lane and Shiloh Road, to include the variances for no alleyway and maximum density of two lots per acre, seconded by PL2 Stevenson.

No oppositions, no abstentions.

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

ITEM 2. DISCUSSION/ACTION – Consider approval of the Deed of Dedication of Public Utilities (Wastewater System) in connection with the Bryson Manor development, authorizing the Mayor to execute said document.

This document was presented to Council for the construction of the wastewater system improvements that serves the three phases of Bryson Manor. The improvements consist of the sewer main, serviced up to the property line, manholes and the connection of the sewer main to the existing TRA manhole (off-site). The document was reviewed and approved by Ovilla's legal counsel and signed by the developer.

Mayor Pro Tem Hunt moved to approve the Deed of Dedication of Public Utilities (Wastewater System) in connection with the Bryson Manor development, authorizing the Mayor to execute said document, seconded by PL2 Stevenson.

No oppositions, no abstentions.

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

ITEM 3. DISCUSSION/ACTION – Consideration of and action on volunteer board appointments and/or reappointments to serve a term on the Board of Adjustment and direct staff as necessary.

Staff shared an annual summary report of the Board's activities and advised that the Board of Adjustment consisted of a five-member board and two alternates. Council appoints/reappoints volunteer residents for two-year terms. Current terms expiring in July are:

Jamie Hilburn, PL2 – Does not desire reappointment

Stephanie Albright, PL4 – No response

Jeanne Ham, PL6 – Does not desire reappointment

Mayor Pro Tem Hunt moved that Council appoint John Knight to serve as Place 2 and Sandy Cawley (currently serving in an alternate position, PL7) to serve as Place 4 on the BOA, both to serve two-year terms and directed staff to post notice for applications to fill the two alternate positions, (PL6 and PL7), seconded by PL1 Huber.

No oppositions, no abstentions.

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

ITEM 4. DISCUSSION/ACTION – Consideration of and action on volunteer board appointments and/or reappointments to serve a term on the Economic Development Corporation (EDC) and direct staff as necessary.

Staff advised that the Economic Development Corporation consisted of a seven-member board. EDC Bylaws state that each member shall be appointed by the City Council for a two-year term. Current terms expiring in June are:

Ronald Kingsley, PL (Does not desire reappointment)

Vacant, PL3

John Knight, PL5 (Does not desire reappointment to the EDC, but requests appointment to another Board)

Barbara Turner, PL7 (Desires reappointment)

It was reported that the EDC has struggled this past fiscal year with absences and several missed meetings due to a lack of a quorum.

PL2 Stevenson moved to appoint the following to serve on the EDC Board of Directors:

Reappoint Barbara Turner to Place 7

Appoint Ozzie Molina to Place 1

Appoint Scott Surplus to Place 3

Appoint Bob Betik to Place 5.

Motion died for a lack of second.

PL3 Griffin moved to reappoint Barbara Turner to Place 7 on the EDC Board of Directors and to direct staff to continue accepting application for EDC appointment consideration, seconded by PL5 Oberg.

No oppositions, no abstentions.

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

ITEM 5.*DISCUSSION/ACTION* – Consideration of and action on volunteer board appointments and/or reappointments to serve a term on the Municipal Services Advisory Committee (MSAC) and direct staff as necessary.

The MSAC, established July 28, 2014, consists of three-resident members and two ex-officio members, Public Works Director and City Manager. This Committee serves to assess current and future development and capital improvement budget recommendations. This Committee works strictly as an advisory committee to the Council. MSAC meetings are the first Tuesday of the month, meeting quarterly or as needed at 5:00 p.m. MSAC had not yet met this fiscal year, but was expected to meet in June. Committee members serve a two-year term, but with the possibility of losing members, staff is bringing to Council. Members are:

CM Dennis Burn

PW Director Brad Piland

Ozzie Molina

Michael Myers

Scott Surplus

It was unknown if Mr. Myers (new Council member, effective June 2016) would be able to serve on this advisory committee. Mr. Molina and Mr. Surplus have also requested to serve on other boards. The consensus of Council was to leave these members in place for now and continue accepting applications for volunteer service.

PL2 Stevenson moved that Council reappoint Ozzie Molina, Michael Myers and Scott Surplus to serve on the MSAC Committee and directed staff to continue receiving applications for volunteer service, seconded by PL3 Griffin.

No oppositions, no abstentions.

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

ITEM 6.*DISCUSSION/ACTION* – Consideration of and action on volunteer board appointments and/or reappointments to serve a term on the Planning and Zoning Commission and direct staff as necessary.

The Planning & Zoning Commission consists of a seven-member volunteer advisory board to Council. Each member is appointed by the City Council for a two-year term. Current terms expiring are:

Michael Yordy, PL2 (Desires reappointment to serve another term)

Alan Whittaker, PL4 (Desires reappointment to serve another term)

Fred Hart, PL6 (Desires reappointment to serve another term)

Richard Dormier, Mayor

Rachel Huber, Place One

Larry Stevenson, Place Two

Mayor Pro Tem Hunt moved that Council reappoint Michael Yordy, PL2, Alan Whittaker, PL4 and Fred Hart, PL6 to serve a two-year term on the Planning and Zoning Commission, seconded by PL2 Stevenson.

No oppositions, no abstentions.

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

ITEM 7. DISCUSSION/ACTION – Consideration of and Action on ORDINANCE 2016-08 of the City of Ovilla, Texas, amending Chapter 12, Article 12.03, Division 2, Section 12.03.042 of the Ovilla Code of Ordinances; establishing speed limits for vehicles upon the certain named streets within the City of Ovilla; 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.

This item was reviewed and considered by Council during their April 11, 2016 Regular Meeting. Staff was directed to return this item with clarification at the May Council Meeting. Several streets in Ovilla are posted at a 20 mph speed limit, which is not allowed (20 mph) by state law. The minimum posting allowed is 25 mph. Additionally, several streets in Ovilla are posted at a 25 mph speed limit, but they can only be posted at 25 mph if they are currently so stated in Ovilla's existing ordinance. The presented ordinance will amend the current ordinance to place the noted streets in compliance with state law.

PL3 Griffin moved that Council approve Ordinance 2016-08, of the City of Ovilla, Texas, amending Chapter 12, Article 12.03, Division 2, Section 12.03.042 of the Ovilla Code of Ordinances; establishing speed limits for vehicles upon the certain named streets within the City of Ovilla; 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, seconded by PL2 Stevenson.

No oppositions, no abstentions.

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

ITEM 8. DISCUSSION/ACTION – Consideration of and action on the update and status of repairs to park facilities and direct staff as necessary.

City Manager Dennis Burn advised the following updates to Cindy Jones Park:

1. Border for the Engineered Wood Fiber (EWF) is ordered, including a sufficient quantity to border other park(s).
2. Swings have been removed (except for the children bucket swings). Swings will be reinstalled with plastic coated chains with the correct spacing.
3. Ropes have been removed and will be replaced.
4. Tires are removed.
5. Reinforced concrete pipe has been removed.
6. A new "rules sign" is on order and will replace the existing sign.
7. The bench has been repaired.

Included with this agenda item is the "Public Playground Safety Handbook" published by the U.S. Consumer Product Safety Commission and recommended by Texas Municipal League. Staff advised that this document will be used to guide work efforts. PL5 Oberg asked that crews follow through with the repairs to maintain and meet these goals for all City parks, including considering that at least one staff member obtain a park safety certification. The consensus of Council was for staff to present a new report each month on park safety and updates, listed under the Public Works Department.

No Action.

ITEM 9. DISCUSSION/ACTION – Consideration of any item(s) pulled from the Consent Agenda above for individual consideration and action.

Not applicable. No Discussion, no action.

EXECUTIVE SESSION

NONE

REQUESTS FOR FUTURE AGENDA ITEMS AND/OR ANNOUNCEMENTS

- 1. PL1 Huber None
- 2. PL2 Stevenson Remove Briefing Session and begin Regular Meeting at 6:30 p.m.
- 3. PL3 Griffin None
- 4. Mayor Pro Tem Hunt City Secretary to send out reminder of the upcoming BSW Luncheon
- 5. PL5 Oberg None
- 6. Mayor Shared appreciation for PL5 Oberg’s service to Ovilla
- 7. City Manager None

ADJOURNMENT

PL5 Oberg moved to adjourn the May 09, 2016 Council Meeting, seconded by PL1 Huber. There being no further business, Mayor Dormier adjourned the meeting at 7:53 p.m.

ATTEST:


Pamela Woodall, City Secretary




Richard A. Dormier, Mayor

Approved June 13, 2016

Attachment: Citizen Comments

Mayor Richard Dormier
Place One Council, Rachel Huber
Place Two Council, Larry Stevenson
Place Three Council, David Griffin

Place Four Council, Mayor PT, Doug Hunt
Place Five Council, Dean Oberg
City Manager, Dennis Burn

WELCOME TO THE CITY OF OVILLA CITIZENS FORUM

The Ovilla City Council and Staff welcome you to a meeting of the Ovilla City Council. Ovilla Council Meetings are open to the public and residents are encouraged to attend.

It is the policy of the City of Ovilla to give all individuals and lawful organizations an opportunity to formally address the Mayor and Council regarding any posted Agenda item or items not on the agenda. Each participant will be permitted to speak for a maximum of three minutes. Regarding non-agenda items, please be advised that the Mayor and Council cannot respond but may direct inquiries to staff for current policy or for later review.

The form must be complete.

DATE: <u>5/9/2016</u>	PHONE: <u>972-217-5005</u>
DO YOU RESIDE WITHIN THE CITY LIMITS OF OVILLA? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
NAME: <u>DANI MUCKLEROY</u>	
ORGANIZATION / DEPARTMENT: <u>SAW - ARMY & COMMENTS</u>	
ADDRESS: <u>608 GREEN MEADOWS LN</u>	
CITY / ZIP: <u>OVILLA TX 75154</u>	

Persons wishing to address the Mayor and Council concerning a posted agenda item must make a formal request by presenting a completed "Citizens Forum" form to the City Secretary or representative at least 10 minutes prior to the beginning of the scheduled meeting. The form must be complete. At the discretion of the Mayor, those registered to speak may be called during the opening of the listed agenda item. Please check one of the three following options.

I wish to address the Council during the Citizens Forum.

AGENDA ITEM(S) NUMBER: _____

I wish to address the Council on this agenda item(s).

I do not wish to address the Council, but would like to register the following opinion.

(Circle one) FOR AGAINST

Comments:

Would you be interested in serving on an appointed board or commission of the City of Ovilla?

Yes No

The City Council convenes in regular session on the second and forth Monday each month at 7:00 P.M. unless otherwise noted. Special meetings may be called as deemed necessary to conduct business of the City. "I authorize the city to release ALL information on this sheet to the public. (If no signature is provided, the City shall not release information that is protected under the Texas Public Information Act.) Signature _____"

Mayor Richard Dormier
Place One Council, Rachel Huber
Place Two Council, Larry Stevenson
Place Three Council, David Griffin

Place Four Council, Mayor PT, Doug Hunt
Place Five Council, Dean Oberg
City Manager, Dennis Burn

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The form must be complete.

DATE: 5/9/16 PHONE: 972-571-7880
DO YOU RESIDE WITHIN THE CITY LIMITS OF OVILLA? YES NO
NAME: PHIL LYNCH
ORGANIZATION / DEPARTMENT: EAD
ADDRESS: FERRIS AVE
CITY / ZIP: WAX

Persons wishing to address the Mayor and Council concerning a posted agenda item must make a formal request by presenting a completed "Citizens Forum" form to the City Secretary or representative at least 10 minutes prior to the beginning of the scheduled meeting. The form must be complete. At the discretion of the Mayor, those registered to speak may be called during the opening of the listed agenda item. Please check one of the three following options.

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