

CITY OF OVILLA MINUTES

Monday, June 13, 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	Council Member, Place 4, Mayor Pro Tem
Michael Myers	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.

1. Mayor Dormier advised that Item 2: Golden Chick, Specific Use Permit is not ready and will not be addressed.

Staff and Council briefly reviewed the regular agenda items.

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

Mr. Burn gave brief information on the pending items and shared tentative meeting dates for budget workshops.

1. Shiloh Road Annexation Memo
2. Budget Workshops
3. Golden Chick Specific Use Permit would return for consideration.
4. Comprehensive Land Use Plan Ordinance
5. Midlothian Independent School District (MISD) Final Plat

ADJOURNMENT

Mayor Dormier adjourned the Briefing Session of the Ovilla City Council at 6:16 p.m.

ATTEST:


Pamela Woodall, City Secretary




Richard A. Dormier, Mayor

Approved June 27, 2016

CITY OF OVILLA MINUTES

Monday, June 13, 2016

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., 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
Michael Myers	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.

Place 3 Griffin gave the Invocation and Place 5 Myers led the recitation of the Pledge of Allegiance.

COMMENTS, PRESENTATIONS, REPORTS AND/OR APPOINTMENTS

Mayor Dormier gave oaths of office to returning incumbents: Place 1 Rachel Huber and Place 3 David Griffin. Photos were taken.

• **Citizen Comments**

1. Mr. Dean Siegel, 146 Claremont, Ovilla, stated his appreciation to the police department for their quick response times. Voiced concern regarding needed maintenance to unimproved lots in Ovilla Parc.

• **Department Activity Reports and Discussion**

- Police Department Police Chief B. Windham
 - Monthly Report – Council commended the department for the capture of burglars attempting to break into a home in the Brookwood Addition.
 - Chief Windham introduced the department’s newest hire, Vanessa Illingworth. This brought the department to full staff.
 - Photos of new departmental badges purchased by the Ovilla Service League were shared with Council.
- Fire Department Fire Chief B. Kennedy
 - Monthly Report
 - Outdoor Burning Proposal: Gave a presentation regarding International Fire Code regulations on outside burning and what the City should share with residents.
- Public Works Public Works Director B. Piland
 - Monthly Report
 - Monthly Park Maintenance: Report discussed on Cindy Jones Park
- Finance Department Accountant L. Harding
 - April 2016 Financials were reviewed.
- Administration City Manager D. Burn
 - City Manager Reports
 - Activity Reports

- Discussed Cockrell Hill Road, Ovilla Sports Association and their request for ball-field maintenance, restroom and concession repair work, Hidden Valley Estates status.
- Monthly Municipal Court Report
- Monthly Code/Animal Control Reports
 - Permits – reviewed.

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

CONSENT AGENDA

- C1.** April 2016 Financial Transactions over \$5,000
- C2.** Resolution approving ONCOR 2016 Assessment for Committee Membership
- C3.** Resolution approving NCTCOG 911-Emergency Dispatch Services
- C4.** Minutes of the Council Briefing Session and Regular Meeting of May 09, 2016
- C5.** Minutes of the Special Council Meeting of June 06, 2016.

Mayor Pro Tem Hunt moved to approve the consent items as presented, seconded by PL2 Stevenson.
No oppositions, no abstentions.

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

PUBLIC HEARING – Mayor Dormier read aloud Case Annex 2016-02.

Case ANNEX 2016-02 Receive presentation and citizen comments on a request to Annex approximately 2.271 acre tract of land in the James S. Berry Survey, Abstract 86, the John R. Billingsley Survey, Abstract 80, the William Billingsley Survey, Abstract 81, and the James P. Laughlin Survey, Abstract 627, Ellis County, Texas, known as Shiloh Road, adjacent to the Ovilla City limits. (2nd Public Hearing)

a. Presentation of Request to annex said property, filed by Mr. Todd Hemphill, Midlothian Independent School District, Board President, authorized representative for the Midlothian Independent School District.

i. City Manager Dennis Burn gave a brief summary. No MISD representatives attended.

b. PUBLIC HEARING to receive comments from the public regarding the request.

Mayor Dormier opened the public hearing at 7:18 p.m.

1. David Davis, 3141 Bryson Lane: Opposed to the annexation. Needs clear explanation.
2. Wayne Kanack, 6630 Shiloh Road: Opposed to the annexation.
 - a. What were the tax implications?
3. Leon Podrack, 6620 Shiloh Road: Opposed to the annexation.
 - a. Will a 4-lane road be constructed later?
 - b. Will residents be paid for their portion of this annexation?
4. Rebecca Switzer, 2980 Bryson Lane, Opposed to the annexation. Needs clear explanation.

Mayor Dormier closed the public hearing at 7:24 pm.

REGULAR AGENDA

ITEM 1. DISCUSSION/ACTION – Consideration of and action on the nominations and appointment of Mayor Pro Tem.

Section 22.037 of the Local Government Code states that the Mayor Pro-Tem is a council member that performs the mayor's duties in the event of the mayor's incapacity or absence. The Mayor Pro Tem is selected by majority vote of the council from among its own governing body. The Mayor Pro Tem's term renews annually following the municipal election and retains the right to vote on all matters before the Council while performing the duties of the mayor.

PL4 Hunt nominated PL3 Griffin to serve as Mayor Pro Tem. PL2 Stevenson nominated PL4 Hunt.

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

2

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

Place 4 Hunt moved that Council appoint PL3 Griffin to serve as Mayor Pro Tem for the City of Ovilla for a term through the May 2017 Uniform Election Date, seconded by PL1 Huber.

No oppositions, no abstentions.

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

~~ITEM 2. **DISCUSSION/ACTION** – Receive recommendation from the Planning and Zoning Commission to consider and act upon a Specific Use Permit Application filed by Yara Masri Management Company for the construction of a Golden Chick Restaurant located at 2887 Ovilla Road, Ovilla, Texas 75154.~~

This item was pulled pending the completion of legal requirements before consideration.

No discussion, no action.

ITEM 3. **DISCUSSION/ACTION** – Receive recommendation from the Planning and Zoning Commission to consider and act upon a Final Plat Application filed by Yara Masri Management Company for a Golden Chick Restaurant on 0.6134 acre of land in the Broadmoor Addition, located at 2887 Ovilla Road, Ovilla, Texas 75154.

The Final Plat Application for the Golden Chick Restaurant was presented to and reviewed by the Planning and Zoning Commission (P&Z) on this date prior to this meeting. The P&Z forwarded recommendation to Council for approval. Staff advised that all documents were reviewed and that the application request and submitted documents conform to the requirements of the Code's final plat regulations.

PL4 Hunt moved that Council approve the Final Plat filed by Yara Masri Management Company for a Golden Chick Restaurant on 0.6134 acres of land in the Broadmoor Addition, located at 2887 Ovilla Road, Ovilla, Texas 75154 as presented, seconded by PL2 Stevenson.

No oppositions, no abstentions.

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

ITEM 4. **DISCUSSION/ACTION** – Consideration of and action on volunteer board appointment 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 being the Public Works Director and City Manager. This Committee serves to assess current and future development and capital improvement budget recommendations and 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. This Committee serves a two-year term, but with the possibility of losing members to other boards, staff brought consideration of new appointments to Council. This item was on last month's agenda with current members reappointed until new members could be appointed. Staff was directed to return this month with the same item for Council's consideration to move, add and/or appoint members. Current members:

CM Dennis Burn

PW Director Brad Piland

Ozzie Molina – desires appointment to another Board

Michael Myers – Council

Scott Surplus – desires appointment to another Board

Mayor Pro Tem Griffin moved that Council appoint Mr. Bob Betik to serve on the MSAC for a 2-year term, and PL5 Myers to continue as a Council representative, seconded by PL4 Hunt.

Richard Dormier, Mayor

Rachel Huber, Place One

Larry Stevenson, Place Two

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 to serve a term on the Economic Development Corporation (EDC) and direct staff as necessary.

The Economic Development Corporation consists of a seven-member board. EDC Bylaws state each member shall be appointed by the City Council for a two-year term. During the May 09 meeting, Council reappointed Place 7 Barbara Turner to serve another 2-year term and directed staff to post notice for interested volunteer board member appointments and return with an agenda item. This item was on last month's agenda having no new appointments (other than the reappointment of MS Turner). Chair Gary Jones, of the EDC, stated that Mr. Greg Huntington would be a good choice for the EDC. Current expired terms are:

Place 1

Place 3 has been vacant for a while

Place 5

Mayor Pro Tem Griffin moved that Council appoint the following to serve on the Economic Development Cooperation Board of Directors for a 2-year term:

Place 1 Scott Surplus

Place 3 Greg Huntington; *and*

Place 5 James Scivally; motion seconded by PL1 Huber.

No oppositions, no abstentions.

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

ITEM 6.*DISCUSSION/ACTION* – Consideration of and action on volunteer alternate board appointments to serve a term and to fill the vacancy of an existing term on the Board of Adjustment (BOA) and direct staff as necessary.

The Board of Adjustment consists of a five-member board and two alternate positions. Those alternate positions are Places 6 and 7 that renew on alternating years. During the May 09, 2016 Regular Meeting, Council appointed Mr. John Knight to serve on the BOA as Place 2 and moved Place 7 (alternate) member Sandra Cawley to serve as Place 4. This left both alternate positions, Places 6 and 7 open. Place 6 is open for a full 2-year term and Place 7 is vacant (with the appointment of Sandra Cawley), having one-year left on that term –to renew in 2017.

As directed, staff posted notice for board applications (for BOA, EDC, MSAC). Applications were presented for consideration. Council did not address the alternate position PL7.

PL4 Hunt moved that Council appoint Ozzie Molina to serve on the BOA for a 2-year term as an alternate member, Place 6, seconded by PL5 Myers.

No oppositions, no abstentions.

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

ITEM 7.*DISCUSSION/ACTION* – Consideration of and action on the appointment of the Planning and Zoning Commission and one ad hoc member to serve as an Ovilla Impact Fee Advisory Committee to conduct a Water and Wastewater Impact Fee Study Update for the City of Ovilla in conjunction with Birkhoff, Hendricks and Carter, LLP and direct staff as necessary.

The City's current Five-Year Water and Wastewater Impact Fee Study was completed in June 2011 and due for an update. In September 2015, the City entered into an agreement with Birkhoff, Hendricks & Carter, LLP, to review the last impact fee report and prepare updates based on capital projects, population and updated land use (with completion of the Comprehensive Land Use Plan) to develop a new impact fee review. Chapter 395 of the Local Government Code, the Ovilla City Council shall appoint an Advisory Committee for this update, which permits the City's Planning & Zoning Commission to act in the Advisory Committee capacity. This also requires at least one representative of the real estate, development, or building industry who is not an employee or an official of a political subdivision or government entity. If no such representative is a member of the Planning and Zoning Commission, then one may be appointed as an ad hoc voting member of the Planning and Zoning Commission when acting as the Advisory Committee. Staff presented names of local real estate individuals willing to serve on this Committee.

Mayor Pro Tem Griffin moved that Council appoint the Planning and Zoning Commission and Mr. Bill Crouch as the ad hoc member, to serve as an Ovilla Impact Fee Advisory Committee to conduct a Water and Wastewater Impact Fee Study Update for the City of Ovilla in conjunction with Birkhoff, Hendricks and Carter, LLP and direct staff as necessary, 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 approval of a proposed Budget Calendar for Fiscal Year 2016-2017 budget preparations.

Staff presented a proposed FY 2016-2017 budget calendar, displaying target dates in compliance with Truth-N-Taxation for the creation of the annual budget and the tax rate for Council's consideration. Key dates presented were:

Monday, June 27 (Special Meeting) - Budget Workshop #1
Wednesday June 29 (Special Meeting) - Budget Workshop #2
Thursday, August 4 - (Special Meeting) - Budget Workshop #3
Monday, August 8 (Regular Meeting)
Monday, August 22nd (Special Meeting) -
Thursday, September 1 (Special Meeting)
Monday, Sept. 12th (Regular Meeting)

PL1 Huber advised that she would not be available for the Wednesday, June 29 budget meeting. PL5 Myers advised he would not be available for the Thursday, August 04 budget meeting.

PL4 Hunt moved to approve the proposed Budget Calendar for Fiscal Year 2016-2017 budget preparations, seconded by PL2 Stevenson.

No oppositions, no abstentions.

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

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

ITEM 10. DISCUSSION/ACTION – Deliberate the appointment, employment, evaluation, reassignment and/or duties of the City Manager.

Mayor Dormier announced that Council would convene into Executive Session at 7:54 p.m., pursuant to the Texas Open Meetings Act, 551.074 Personnel Matters.

Mayor Dormier and Council reconvened into Regular Session at 9:25 p.m., advising that no action was taken in Executive Session.

No discussion, no action.

REQUESTS FOR FUTURE AGENDA ITEMS AND/OR ANNOUNCEMENTS

- | | |
|------------------|-----------------|
| 1. PL1 Huber | None |
| 2. PL2 Stevenson | None |
| 3. PL3 Griffin | None |
| 4. PL4 Hunt | None |
| 5. PL5 Myers | None |
| 6. Mayor | Park guidelines |
| 7. City Manager | None |

ADJOURNMENT

PL4 Hunt moved to adjourn the June 13, 2016 Council Meeting, seconded by PL2 Stevenson. There being no further business, Mayor Dormier adjourned the meeting at 9:30 p.m.

ATTEST:


Pamela Woodall, City Secretary




Richard A. Dormier, Mayor

Approved June 27, 2016

Attachment: Citizens Forum
Certified Executive Session Agenda filed separately.

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, Michael Myers
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: 6/13/16 PHONE: 214-448-3027

DO YOU RESIDE WITHIN THE CITY LIMITS OF OVILLA? YES NO

NAME: Dean Siegel

ORGANIZATION / DEPARTMENT: _____

ADDRESS: 146 CLAREMONT Dr.

CITY / ZIP: Ovilla TX 75154

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). CONCERNS

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 fourth 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 Dean Siegel"