

# City of *OVILLA* City Council Agenda

## AMENDED AGENDA

Ralph G. Hall, Place One  
Larry Stevenson, Place Two  
David Griffin, Place Three

Tom Leverentz, Mayor

Doug Hunt, Place Four  
Richard Dormier, Mayor Pro-Tem/Place Five  
Jacqueline Lee, Interim City Administrator

105 S. Cockrell Hill Road, Ovilla, TX 75154

Monday, April 08, 2013

7:00 P.M.

Council Chamber Room

Pursuant to the provisions of Chapter 551 VTCA Government Code, NOTICE is hereby given of a Regular Meeting of the City Council of the City of Ovilla, to be held on Monday, April 08, 2013 at 7:00 P.M. in the City Hall Council Chamber Room, 105 S. Cockrell Hill Road, Ovilla, Texas, 75154, for the purpose of considering the following items.

### I. CALL TO ORDER

- ◆ Invocation
- ◆ Pledge of Allegiance

### II. COMMENTS, PRESENTATIONS, ANNOUNCEMENTS & REPORTS

#### • Citizen 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 citizen's 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.

#### • Department Activity Reports / Discussion

- Police Department Police Chief M. Moon
  - Monthly Report
- Fire Department Assistant Fire Chief P. Brancato
  - Monthly Report
  - Maps and Cad
- Public Works Public Works Director B. Piland
  - Monthly Report
  - Bryson Manor Development
- Finance Department City Accountant S. Jungman
  - Monthly Municipal Court Report
  - Heritage Day Report
- Administration Interim CA J. Lee
  - Research grant opportunities for city operations
  - Bi-weekly update
  - Monthly Reports – Code Enforcement/Animal Control, Mike Dooly
    - Updates:
      - Residential off-street parking
      - Fences/maintenance of fences
      - Hay baling

### III. 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.

- Financial Transactions

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**PUBLIC HEARING**

**Public Hearing & Discussion** – Discuss and consider the proposed zoning changes:

**Case No. PZI3-002.** A request for a **Specific Use Permit** filed by Ms Karen Pickard (owner) and Bobby Hopkins (applicant) to open and operate a restaurant, “Smokin Hot” located in the Historic District, **705 W. Main Street, Ovilla, Texas.**

**Case No. PZI3-003.** A request by The City of Ovilla, for **change in zoning** from CG (General Commercial) to I (Industrial) on 19.348 acres of land, more or less, out of the H.M. Rawlins Survey, Abstract No. 1202, Page 196, Dallas County, Texas and more commonly known as **1906 Bear Creek, Ovilla, Texas.**

**Case No. PZI3-004.** A request by The City of Ovilla, for **change in zoning** from RE (Residential - 1 Acre) to I (Industrial) on 0.881 acres of land, more or less, out of the H.M. Rawlins Survey, Abstract No. 1202, Page 196, Dallas County, Texas and more commonly known as **1902 Bear Creek, Ovilla, Texas.**

**Case No. PZI3-005.** A request by The City of Ovilla, for **change in zoning** from RE (Residential - 1 Acre) to I (Industrial) on 0.1190 acres of land, more or less, out of the H.M. Rawlins Survey, Abstract No. 1202, Page 196, Dallas County, Texas and more commonly known as **1908 Bear Creek, Ovilla, Texas.**

**Case No. PZI3-006.** A request by The City of Ovilla, for **change in zoning** from RE (Residential - 1 Acre) to MF (Multifamily Residential) on 3.90 acres of land, more or less, out of the H.M. Rawlins Survey, Abstract No. 1202, Page 195, Dallas County, Texas and more commonly known as **1900 Bear Creek, Ovilla, Texas.**

**Case No. PZI3-007.** A request by The City of Ovilla, for **change in zoning** from RE (Residential - 1 Acre) to MF (Multifamily Residential) on 5.0236 acres of land, more or less, out of the H.M. Rawlins Survey, Abstract No. 1202, Page 195, Dallas County, Texas and more commonly known as **1800 Bear Creek, Ovilla, Texas.**

**Case No. PZI3-008.** A request by The City of Ovilla, for **change in zoning** from RE (Residential - 1 Acre) to MF (Multifamily Residential) on 9.62 acres of land, more or less, out of the H.M. Rawlins Survey, Abstract No. 1202, Page 195, Dallas County, Texas and more commonly known as **1910 Bear Creek, Ovilla, Texas.**

**Case No. PZI3-009.** A request by The City of Ovilla, for **change in zoning** from RE (Residential - 1 Acre) to MF (Multifamily Residential) on 6.19 acres of land, more or less, out of the H.M. Rawlins Survey, Abstract No. 1202, Page 195, Dallas County, Texas and more commonly known as **2000 Bear Creek, Ovilla, Texas.**

**IV. REGULAR AGENDA**

**ITEM 1. DISCUSSION/ACTION – Case No. PZI3-002.** Consider recommendation from the Planning & Zoning Commission to approve a **Specific Use Permit** to open and operate a restaurant, “Smokin Hot” located in the Historic District, **705 W. Main Street, Ovilla, Texas**, requested by Ms Karen Pickard (owner) and Mr. Bobby Hopkins, applicant.

**ITEM 2. DISCUSSION/ACTION – Case No. PZI3-003.** Consider recommendation from the Planning & Zoning Commission for a **change in zoning** from CG (General Commercial) to I (Industrial) on 19.348 acres of land, more or less, out of the H.M. Rawlins Survey, Abstract No. 1202, Page 196, Dallas County, Texas and more commonly known as **1906 Bear Creek, Ovilla, Texas.**

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- ITEM 3.**     **DISCUSSION/ACTION – Case No. PZ13-004.** Consider recommendation from the Planning & Zoning Commission for a **change in zoning** from RE (Residential - 1 Acre) to I (Industrial) on 0.881 acres of land, more or less, out of the H.M. Rawlins Survey, Abstract No. 1202, Page 196, Dallas County, Texas and more commonly known as **1902 Bear Creek, Ovilla, Texas.**
- ITEM 4.**     **DISCUSSION/ACTION – Case No. PZ13-005.** Consider recommendation from the Planning & Zoning Commission for a **change in zoning** from RE (Residential - 1 Acre) to I (Industrial) on 0.1190 acres of land, more or less, out of the H.M. Rawlins Survey, Abstract No. 1202, Page 196, Dallas County, Texas and more commonly known as **1908 Bear Creek, Ovilla, Texas.**
- ITEM 5.**     **DISCUSSION/ACTION – Case No. PZ13-006.** Consider recommendation from the Planning & Zoning Commission for a **change in zoning** from RE (Residential - 1 Acre) to MF (Multifamily Residential) on 3.90 acres of land, more or less, out of the H.M. Rawlins Survey, Abstract No. 1202, Page 195, Dallas County, Texas and more commonly known as **1900 Bear Creek, Ovilla, Texas.**
- ITEM 6.**     **DISCUSSION/ACTION – Case No. PZ13-007.** Consider recommendation from the Planning & Zoning Commission for a **change in zoning** from RE (Residential - 1 Acre) to MF (Multifamily Residential) on 5.0236 acres of land, more or less, out of the H.M. Rawlins Survey, Abstract No. 1202, Page 195, Dallas County, Texas and more commonly known as **1800 Bear Creek, Ovilla, Texas.**
- ITEM 7.**     **DISCUSSION/ACTION – Case No. PZ13-008.** Consider recommendation from the Planning & Zoning Commission for a **change in zoning** from RE (Residential - 1 Acre) to MF (Multifamily Residential) on 9.62 acres of land, more or less, out of the H.M. Rawlins Survey, Abstract No. 1202, Page 195, Dallas County, Texas and more commonly known as **1910 Bear Creek, Ovilla, Texas.**
- ITEM 8.**     **DISCUSSION/ACTION – Case No. PZ13-009.** Consider recommendation from the Planning & Zoning Commission for a **change in zoning** from RE (Residential - 1 Acre) to MF (Multifamily Residential) on 6.19 acres of land, more or less, out of the H.M. Rawlins Survey, Abstract No. 1202, Page 195, Dallas County, Texas and more commonly known as **2000 Bear Creek, Ovilla, Texas.**
- ITEM 9.**     **DISCUSSION/ACTION –** Consider staff's response and effective revision(s) from suggestions contained in the management letter of Yeldell, Wilson and Co. P.C., received from the 2010-11 Fiscal Year Audit.
- ITEM 10.**    **DISCUSSION/ACTION –** Consider staff's response and effective revision(s) from suggestions contained in the management letter of Yeldell, Wilson and Co. P.C., received from the 2011-12 Fiscal Year Audit.
- ITEM 11.**    **DISCUSSION –** Review and consider revisions to Section 6.04.001 Weeds and Grass, Ovilla Code of Ordinances.

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- ITEM 12.**     **DISCUSSION/ACTION** – Discuss and review options for land purchase at 713 W. Main Street.
- ITEM 13.**     **DISCUSSION/ACTION** – Update City Council on research of the 125 Flex-Plan.
- ITEM 14.**     **DISCUSSION/ACTION** – Deliberate the appointment employment, and/or duties of the Interim City Administrator and/or permanent City Administrator.

**V.    EXECUTIVE SESSION**

Closed Meeting called pursuant to Texas Government Code § 551.072 – Real Property

- ITEM 12.**     **DISCUSSION/ACTION** – Discuss and review options for land purchase at 713 W. Main Street.

Closed Meeting called pursuant to Texas Government Code § 551.071 – Consultation with Attorney

- ITEM 13.**     **DISCUSSION/ACTION** – Update City Council on research of 125 Flex Plan.

Closed Meeting called pursuant to Texas Government Code § 551.074 - Personnel Matters.

- ITEM 14.**     **DISCUSSION/ACTION** – Deliberate the appointment employment, and/or duties of the Interim City Administrator and/or permanent City Administrator.

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

**VI.   ADJOURNMENT**

**THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the April 8, 2013, 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](http://www.cityofovilla.org), on the 5th day of April 2013 prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code.**



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Pamela Woodall, City Secretary

**DATE OF POSTING:**     4.5.13     **TIME:** 4:00 am/pm  
**DATE TAKEN DOWN:**     \_\_\_\_\_     **TIME:** \_\_\_\_\_ am/pm

**IF YOU OR YOUR REPRESENTATIVE HAVE A DISABILITY THAT REQUIRES SPECIAL ARRANGEMENTS AND YOU PLAN TO ATTEND THIS PUBLIC MEETING, PLEASE CALL THE CITY SECRETARY AT 972-617-7262 WITHIN 24 HOURS OF THE MEETING. REASONABLE ACCOMMODATIONS WILL BE MADE TO MEET YOUR NEEDS AT THE MEETING. PLEASE SILENCE ALL PAGERS, CELL PHONES & OTHER ELECTRONIC EQUIPMENT WHILE THE CITY COUNCIL MEETING IS IN SESSION.**