

City of *OVILLA* City Council Agenda

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

Richard Dormier, Mayor

Doug Hunt, Place Four
Vacant/Place Five
Cyndy Powell, City Administrator

105 S. Cockrell Hill Road, Ovilla, TX 75154

Monday, July 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, July 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
- Public Works Public Works Director B. Piland
 - Monthly Report
- Administration City Administrator C. Powell
 - Bi-weekly update activity report
 1. Update Council on submitted RFP's for Solid Waste & Recycling
 2. Update Council on status of RFQ for Employee Compensation Study
 3. Status Report on Bryson Manor Subdivision
 4. Strategic Plan RFQ review with EDC on July 15
 - Monthly Municipal Court Report City Secretary P. Woodall
 - Monthly Reports Code Enf./Animal Control, Mike Dooly

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.

- Minutes of the June 10, 2013 Special Meeting/Official Naming of the O'Dell Ball Field
- Minutes of the June 10, 2013 Regular Council Meeting
- Minutes of the June 17, 2013 Special Council Meeting /Budget Workshop
- Minutes of the June 24, 2013 Regular Council Meeting
- Financial Transactions

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IV. REGULAR AGENDA

- ITEM 1. **DISCUSSION/ACTION** – Consider proposed Resolution 2013-007 to accept nominations and make appointment to City Council Place 5; to complete the remainder of the term vacated by the May 2013 General Election of Mayor Dormier. (Mayor Dormier to give Oath and Statement)
- ITEM 2. **DISCUSSION/ACTION** – Consider the appointment of Mayor Pro-Tem.
- ITEM 3. **DISCUSSION/ACTION** – Consider nominations and appointments/reappointments to the Planning and Zoning Commission.
- ITEM 4. **DISCUSSION/ACTION** – Consider proposed Ordinance 2013-021, Repealing Chapter 3, Article 3.05, Section 3.05.006, “Types of Fence and Construction,” of the Ovilla Code of Ordinances and adopting new provisions in place thereof.
- ITEM 5. **DISCUSSION** – Review and discuss options for proposed storm shelters.
- ITEM 6. **DISCUSSION** – Orientation to review and discuss duties and protocols as a city council member.

V. PUBLIC HEARINGS / Discussion and Action

Public Hearing & Discussion – Discuss and consider the proposed change to Chapter 14 of the Ovilla Code of Ordinances:

Case No. PZ13-011: A request by The City of Ovilla: Receive recommendation from the Planning and Zoning Commission to consider and approve proposed Ordinance 2013-022, repealing Chapter 14, Article 4, Sections 33.8 and 33.9 of the Ovilla Code of Ordinances and adopting a new “Residential Parking Regulations and Development Standards” as Section 33.8.

DISCUSSION/ACTION – **Case No. PZ13-011:** Consideration of proposed Ordinance 2013-022, repealing Chapter 14, Article 4, Sections 33.8 and 33.9 of the Ovilla Code of Ordinances and adopting a new “Residential Parking Regulations and Development Standards” as Section 33.8.

Public Hearing & Discussion – Discuss and consider a replat request to combine two residential lots:

Case No. Replat No. 201213-001: A request filed by Mr. Mohamad Soueid for Council’s consideration to replat his property; combining two lots (#2 and #3), Block H in the Ovilla Parc Phase 2 residential development.

DISCUSSION/ACTION – **Case No. Replat No. 201213-001:** A request filed by Mr. Mohamad Soueid for Council’s consideration to replat his property; combining two lots (#2 and #3), Block H in the Ovilla Parc Phase 2 residential development.

VI. EXECUTIVE SESSION

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).

VII. REQUESTS FOR FUTURE AGENDA ITEMS

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VIII. ADJOURNMENT

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the July 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, on the 5th day of July 2013 prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code.



Pamela Woodall, City Secretary

DATE OF POSTING: 7.5.13 TIME: 10:00 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.

OVILLA POLICE DEPARTMENT

105 S Cockrell Hill Rd

Ovilla, TX 75154

(972) 617-7262

Mayor Richard Dormier
and the Ovilla City Council

Subject: Police Department Monthly Activity Report:

Jun-13	YTD
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<u>Calls For Service</u>	<u>Total</u>	<u>Total</u>
ACCIDENT	1	15
ALARMS	15	86
ARREST	4	20
ASSAULT	1	2
ASSISTS: Agency/Unit: 15 EMS/Fire: 0 Motorist: 1	16	153
BLDG / HOUSE SECURITY CHECK	1171	7888
BURGLARY	1	1
BURGLARY OF MOTOR VEHICLE	0	1
CRIMINAL MISCHIEF	1	4
DISTURBANCE	15	36
NEIGHBORHOOD CHECK	1528	10592
OTHER CALLS FOR SERVICE	76	760
SUSPICIOUS PERSON	2	26
SUSPICIOUS VEHICLE	5	42
THEFT	1	5
TRAFFIC ASSIGNMENT	6	147
TOTAL CALLS FOR SERVICE	2843	19778
RESERVE OFFICER HOURS	76.5	417.5
AVERAGE RESPONSE TIME (MINUTES)	3.5	3.89166667
TRAFFIC STOP (WARNINGS)	19	189
CITATIONS	33	216
TOTAL CITATIONS & WARNINGS COMBINED	52	405
PERCENT OF STOPS RECEIVING CITATIONS	63.5	53.3

OVILLA PD VEHICLE MILEAGE

May-13		June-13		July-13		August-13		September-13		October-13		November-13		December-13		January-14		February-14	
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100	68127	69954	1827	100	69954	71745		100	69954	71745		100	69954	71745		100	69954	71745	1791
101	126330	126331	1	101	126331	126362		102	126331	126362		101	126331	126362		101	126331	126362	31
102	70380	71575	1195	102	71575	72655		103	71575	72655		102	71575	72655		102	71575	72655	1080
103	73463	75182	1719	103	75182	76778		104	75182	76778		103	75182	76778		103	75182	76778	1596
104	45816	46985	1169	104	46985	48036		105	46985	48036		104	46985	48036		104	46985	48036	1051
105	13823	15558	1735	105	15558	17617			15558	17617		105	15558	17617		105	15558	17617	2059
July-13				August-13				September-13				October-13				November-13			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100			0	100			0	100			0	100			0	100			0
101			0	101			0	101			0	101			0	101			0
102			0	102			0	102			0	102			0	102			0
103			0	103			0	103			0	103			0	103			0
104			0	104			0	104			0	104			0	104			0
105			0	105			0	105			0	105			0	105			0
September-13				October-13				November-13				December-13				January-14			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100			0	100			0	100			0	100			0	100			0
101			0	101			0	101			0	101			0	101			0
102			0	102			0	102			0	102			0	102			0
103			0	103			0	103			0	103			0	103			0
104			0	104			0	104			0	104			0	104			0
105			0	105			0	105			0	105			0	105			0
November-13				December-13				January-14				February-14				March-14			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100			0	100			0	100			0	100			0	100			0
101			0	101			0	101			0	101			0	101			0
102			0	102			0	102			0	102			0	102			0
103			0	103			0	103			0	103			0	103			0
104			0	104			0	104			0	104			0	104			0
105			0	105			0	105			0	105			0	105			0
January-14				February-14				March-14				April-14				May-14			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100			0	100			0	100			0	100			0	100			0
101			0	101			0	101			0	101			0	101			0
102			0	102			0	102			0	102			0	102			0
103			0	103			0	103			0	103			0	103			0
104			0	104			0	104			0	104			0	104			0

OVILLA

OFD Year-to-date Incident Participation

Activity Date Between {06/01/2013} And
 {06/30/2013} and Career = "2 "

Staff Id/Name	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	Percent
751 Baker, Dalton	0	0	0	0	0	7	0	0	0	0	0	0	7	30.43
749 Chapman, John Daniel	0	0	0	0	0	3	0	0	0	0	0	0	3	13.04
740 Espinosa, Anthony	0	0	0	0	0	3	0	0	0	0	0	0	3	13.04
750 Guffey, Nicholas Ray	0	0	0	0	0	3	0	0	0	0	0	0	3	13.04
722 Spencer, Everett H	0	0	0	0	0	11	0	0	0	0	0	0	11	47.82
717 Witherspoon, Jacki D	0	0	0	0	0	4	0	0	0	0	0	0	4	17.39

Total Runs by Month											
Jan	0	Feb	0	Mar	0	Apr	0	May	0	Jun	23
Jul	0	Aug	0	Sep	0	Oct	0	Nov	0	Dec	0

Grand Total Runs: 23

OVILLA

OFD Year-to-date Incident Participation

Activity Date Between {01/01/2013} And
{06/30/2013} and Career = "2 "

Staff Id/Name	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	Percent
741 Bailey, Randall S.	1	3	0	1	2	0	0	0	0	0	0	0	7	3.46
751 Baker, Dalton	3	6	5	6	8	7	0	0	0	0	0	0	35	17.32
749 Chapman, John Daniel	6	10	6	4	6	3	0	0	0	0	0	0	35	17.32
740 Espinosa, Anthony	1	4	5	5	7	3	0	0	0	0	0	0	25	12.37
750 Guffey, Nicholas Ray	9	9	5	6	11	3	0	0	0	0	0	0	43	21.28
713 Holt, William Neal	4	2	0	2	6	0	0	0	0	0	0	0	14	6.93
716_TL Leverentz, Thomas G	1	0	0	0	0	0	0	0	0	0	0	0	1	0.49
707 Martinez, Erick I	4	3	0	0	0	0	0	0	0	0	0	0	7	3.46
724 O'Brien, Steve G	4	1	0	1	6	0	0	0	0	0	0	0	12	5.94
722 Spencer, Everett H	27	16	12	19	25	11	0	0	0	0	0	0	110	54.45
717 Witherspoon, Jacki D	8	8	9	6	8	4	0	0	0	0	0	0	43	21.28

Total Runs by Month											
Jan	37	Feb	37	Mar	32	Apr	31	May	42	Jun	23
Jul	0	Aug	0	Sep	0	Oct	0	Nov	0	Dec	0

Grand Total Runs: 202

OVILLA

Overlapping Incidents

Alarm Date Between {06/01/2012} And {06/30/2012}

Incident-Exp#	Alm Date	Alm Time	Clr Date	Clr Time	Overlaps (at least)			
					Incident-Exp#	Alm Date	Alm Time	
12-0000264-000	06/02/2012	15:10:36	06/02/2012	16:05:11	12-0000263-000	06/02/2012	15:05:06	
12-0000271-000	06/06/2012	18:14:51	06/06/2012	18:22:28	12-0000270-000	06/06/2012	17:57:29	
12-0000283-000	06/13/2012	15:15:00	06/13/2012	15:19:00	12-0000282-000	06/13/2012	15:12:00	
12-0000289-000	06/22/2012	11:35:34	06/22/2012	12:01:24	12-0000290-000	06/22/2012	11:17:00	
Total Incident Count					39	Total Overlapping Incidents		4

OVILLA

Staff with No Activities

Date >= {06/01/2013} and)Career = "2 "

Staff Member	Staff ID	Status	Status Date	Rank	Station
Bailey, Randall S.	741	VO	12/23/2008	DE	1
Bell, Warren J	726	LV	08/20/2012	FFE	1
Graham, Justin L.	723	VO	01/18/2011	PR	1
Martinez, Erick I	707	RES	06/14/2011	FF	1
Paluga, Patrick	732	RES	05/07/2013	FFE	1
Sidler, Joni L	711	VO	09/15/1999	FFP	1
Velasquez, Adrian C.	745	VO	11/24/2009	FFI	1

OVILLA

OFD Fuel Usage Report

Date Between {06/01/2013} And {06/30/2013}

Date	Fuel Type	Gallons	Cost	Unit
FA Fuel Apparatus				
Diesel				
06/01/2013	Diesel	13.989	\$51.75	E701
	737 Skidmore, Nolan D			
	739 Sodek, Larry Ray			
06/12/2013	Diesel	5.884	\$21.76	E703
	715 Cates, Jason			
06/13/2013	Diesel	30.820	\$114.00	E701
	709 Spaulding, Scott L			
06/16/2013	Diesel	15.102	\$55.86	755
	722 Spencer, Everett H			
06/16/2013	Diesel	12.539	\$46.38	E701
	725 Wolf, Darrell G.			
06/22/2013	Diesel	9.180	\$33.96	E702
	733 Rudd, Justin E.			
06/24/2013	Diesel	12.550	\$46.43	E701
	718 Beets, Randy L			
06/25/2013	Diesel	16.080	\$59.49	E701
	733 Rudd, Justin E.			
06/29/2013	Diesel	13.546	\$50.11	E702
	716 Ullrich, Austin			
	742 Turner, Cole A.			
06/29/2013	Diesel	15.950	\$59.00	E701
	722 Spencer, Everett H			
	749 Chapman, John Daniel			
Diesel Totals:		145.640 Gal	\$538.74	
Gasoline				
06/06/2013	Gasoline	18.217	\$63.01	C701
	708 Brancato, Phillip M.			
06/28/2013	Gasoline	9.470	\$35.05	S701
	733 Rudd, Justin E.			
Gasoline Totals:		27.687 Gal	\$98.06	

OVILLA

Incident List by Alarm Date/Time

Alarm Date Between {06/01/2013} And {06/30/2013}

Incident-Exp#	Alm Date	Alm Time	Location	Incident Type
13-3000290-000	06/04/2013	08:08:50	216 River Oaks /Lancaster	551 Assist police or other gover
13-3000291-000	06/04/2013	09:21:18	105 COCKRELL HILL RD	321 EMS call, excluding vehicle
13-3000292-000	06/04/2013	11:06:54	1105 E HIGHLAND RD /OAK L	321 EMS call, excluding vehicle
13-3000293-000	06/04/2013	16:27:54	509 REINDEER DR /MIDLOTHI	611 Dispatched & cancelled en ro
13-3000294-000	06/06/2013	07:16:01	3199 PLEASANTVILLE RD	322 Motor vehicle accident with
13-3000295-000	06/06/2013	12:15:25	612 E HIGHLAND RD	400 Hazardous condition, Other
13-3000296-000	06/06/2013	23:25:38	612 E HIGHLAND RD	311 Medical assist, assist EMS c
13-3000297-000	06/07/2013	11:22:39	6490 MONTGOMERY RD	700 False alarm or false call, O
13-3000298-000	06/07/2013	12:00:06	6490 MONTGOMERY RD	700 False alarm or false call, O
13-3000299-000	06/08/2013	06:33:26	608 MEADOWLARK DR	311 Medical assist, assist EMS c
13-3000300-000	06/08/2013	15:04:38	3980 BRYSON LN	511 Lock-out
13-3000301-000	06/09/2013	19:38:18	3199 NORTH MOCKINGBIRD LN	611 Dispatched & cancelled en ro
13-3000302-000	06/10/2013	04:43:51	7041 MONTGOMERY RD	311 Medical assist, assist EMS c
13-3000303-000	06/10/2013	05:22:47	1304 PECAN RIDGE DR /MIDL	611 Dispatched & cancelled en ro
13-3000304-000	06/14/2013	07:32:44	403 SHADOWWOOD TRL	554 Assist invalid
13-3000305-000	06/15/2013	05:45:02	1904 S DUNCANVILLE RD	311 Medical assist, assist EMS c
13-3000306-000	06/15/2013	17:35:22	501 Vincent ST /Cedar Hil	111 Building fire
13-3000307-000	06/16/2013	12:35:07	100 JOHNSON LN	151 Outside rubbish, trash or wa
13-3000308-000	06/16/2013	17:07:53	OVILLA RD & UHL RD /Red O	171 Cultivated grain or crop fir
13-3000309-000	06/16/2013	23:59:01	403 SHADOWWOOD TRL	554 Assist invalid
13-3000310-000	06/17/2013	07:40:31	206 SPLIT ROCK TERR	321 EMS call, excluding vehicle
13-3000311-000	06/17/2013	19:24:20	100 SOUTHRIDGE DR /Oak Le	311 Medical assist, assist EMS c
13-3000312-000	06/17/2013	20:53:21	2751 PLEASANTVILLE RD /Mi	611 Dispatched & cancelled en ro
13-3000313-000	06/19/2013	07:09:33	105 COCKRELL HILL RD	321 EMS call, excluding vehicle
13-3000314-000	06/19/2013	10:17:02	403 SHADOWWOOD TRL	700 False alarm or false call, O
13-3000315-000	06/22/2013	21:25:35	301 COCKRELL HILL RD	321 EMS call, excluding vehicle
13-3000316-000	06/23/2013	07:58:10	4721 ASHLEY CIR /Midlothi	311 Medical assist, assist EMS c
13-3000318-000	06/23/2013	12:57:00	103 HOLLY LN	321 EMS call, excluding vehicle
13-3000319-000	06/24/2013	04:43:28	613 TAYLOR ST	311 Medical assist, assist EMS c
13-3000320-000	06/24/2013	08:19:49	310 SHADOWWOOD TRL	150 Outside rubbish fire, Other
13-3000321-000	06/24/2013	08:34:08	301 WILLOW WOOD LN	445 Arcing, shorted electrical e
13-3000322-000	06/24/2013	16:58:29	HOSFORD RD & GEORGETOWN R	311 Medical assist, assist EMS c
13-3000323-000	06/25/2013	17:06:53	105 PECAN LN /OAK LEAF, T	510 Person in distress, Other
13-3000324-000	06/26/2013	03:45:23	403 SHADOWWOOD TRL	510 Person in distress, Other
13-3000325-000	06/27/2013	10:19:45	4421 MORNINGLORY /MIDLOTH	611 Dispatched & cancelled en ro
13-3000326-000	06/27/2013	15:46:34	1618 PLUM CREEK DR /Midlo	311 Medical assist, assist EMS c
13-3000327-000	06/28/2013	17:02:33	504 FOREST EDGE LN	321 EMS call, excluding vehicle
13-3000328-000	06/28/2013	19:51:40	326 WILLOW CREEK LN	561 Unauthorized burning
13-3000329-000	06/29/2013	10:48:54	105 COCKRELL HILL RD	311 Medical assist, assist EMS c
13-3000330-000	06/29/2013	21:35:45	LARIAT TRL & COCKRELL HIL	631 Authorized controlled burnin
13-3000331-000	06/30/2013	13:06:27	914 VALLEY VIEW AVE /RED	140 Natural vegetation fire, Oth

Total Incident Count 41

OVILLA

Average Response Time by District/Incident Type (M

**Alarm Date Between {06/01/2013} And {06/30/2013}
and District = "OVILA"**

OVILA City of Ovilla

Incident	Alarm Date & Time		Arrival Date & Time		Stn	Shift	Response Time
150 Outside rubbish fire, Other							
13-3000320	06/24/2013	08:19:49	06/24/2013	08:24:00	1	B	00:04:11
Average Response Time for District/Incident Type							00:04:11
151 Outside rubbish, trash or waste fire							
13-3000307	06/16/2013	12:35:07	06/16/2013	12:43:35	1	C	00:08:28
Average Response Time for District/Incident Type							00:08:28
311 Medical assist, assist EMS crew							
13-3000296	06/06/2013	23:25:38	06/06/2013	23:34:44	1	B	00:09:06
13-3000299	06/08/2013	06:33:26	06/08/2013	06:42:00	1	C	00:08:34
13-3000305	06/15/2013	05:45:02	06/15/2013	05:54:08	1	A	00:09:06
13-3000319	06/24/2013	04:43:28	06/24/2013	04:52:38	1	A	00:09:10
13-3000322	06/24/2013	16:58:29	06/24/2013	17:03:19	1	B	00:04:50
13-3000329	06/29/2013	10:48:54	06/29/2013	10:54:48	1	A	00:05:54
Average Response Time for District/Incident Type							00:07:47
321 EMS call, excluding vehicle accident with injury							
13-3000291	06/04/2013	09:21:18	06/04/2013	09:21:18	1	B	00:00:00
13-3000310	06/17/2013	07:40:31	06/17/2013	07:48:02	1	A	00:07:31
13-3000313	06/19/2013	07:09:33	06/19/2013	07:10:11	1	A	00:00:38
13-3000315	06/22/2013	21:25:35	06/22/2013	21:29:21	1	C	00:03:46
13-3000318	06/23/2013	12:57:00	06/23/2013	13:03:20	1	A	00:06:20
13-3000327	06/28/2013	17:02:33	06/28/2013	17:07:01	1	C	00:04:28
Average Response Time for District/Incident Type							00:03:47
400 Hazardous condition, Other							
13-3000295	06/06/2013	12:15:25	06/06/2013	12:19:56	1	B	00:04:31
Average Response Time for District/Incident Type							00:04:31
445 Arcing, shorted electrical equipment							
13-3000321	06/24/2013	08:34:08	06/24/2013	08:34:08	1	B	00:00:00
Average Response Time for District/Incident Type							00:00:00
510 Person in distress, Other							
13-3000324	06/26/2013	03:45:23	06/26/2013	03:54:13	1	C	00:08:50
Average Response Time for District/Incident Type							00:08:50
554 Assist invalid							
13-3000304	06/14/2013	07:32:44	06/14/2013	07:39:46	1	A	00:07:02
13-3000309	06/16/2013	23:59:01	06/17/2013	00:07:17	1	C	00:08:16
Average Response Time for District/Incident Type							00:07:39
561 Unauthorized burning							
13-3000328	06/28/2013	19:51:40	06/28/2013	20:00:54	1	C	00:09:14
Average Response Time for District/Incident Type							00:09:14
631 Authorized controlled burning							
13-3000330	06/29/2013	21:35:45	06/29/2013	21:41:17	1	A	00:05:32
Average Response Time for District/Incident Type							00:05:32

OVILLA

Average Response Time by District/Incident Type (M

Alarm Date Between {06/01/2013} And {06/30/2013}
and District = "OVILA"

OVILA City of Ovilla

Incident	Alarm Date & Time	Arrival Date & Time	Stn	Shift	Response Time
700 False alarm or false call, Other					
13-3000314	06/19/2013 10:17:02	06/19/2013 10:22:44	1	C	00:05:42
Average Response Time for District/Incident Type					00:05:42

Overall Average Response Time for District 00:05:58					

Total Incident Count: 22

Overall Average Response Time: 00:05:58

OVILLA

Average Response Time by District/Incident Type (M

Alarm Date Between {06/01/2013} And {06/30/2013}
and District = "ESD2 "

ESD2 Midlothian ESD#2

Incident	Alarm Date & Time	Arrival Date & Time	Stn	Shift	Response Time
311 Medical assist, assist EMS crew					
13-3000302	06/10/2013 04:43:51	06/10/2013 04:56:34	1	B	00:12:43
13-3000316	06/23/2013 07:58:10	06/23/2013 08:05:41	1	A	00:07:31
13-3000326	06/27/2013 15:46:34	06/27/2013 16:01:07	1	B	00:14:33
Average Response Time for District/Incident Type					00:11:36
322 Motor vehicle accident with injuries					
13-3000294	06/06/2013 07:16:01	06/06/2013 07:25:03	1	B	00:09:02
Average Response Time for District/Incident Type					00:09:02
511 Lock-out					
13-3000300	06/08/2013 15:04:38	06/08/2013 15:04:38	1	A	00:00:00
Average Response Time for District/Incident Type					00:00:00
700 False alarm or false call, Other					
13-3000297	06/07/2013 11:22:39	06/07/2013 11:31:38	1	C	00:08:59
13-3000298	06/07/2013 12:00:06	06/07/2013 12:11:27	1	B	00:11:21
Average Response Time for District/Incident Type					00:10:10

Overall Average Response Time for District					00:09:10

Total Incident Count: 7

Overall Average Response Time: 00:09:10



DATE: July 3, 2013,

TO: Honorable Mayor and City Council Members

FROM: Brad Piland Public Works Director

TOPIC: Public Works Monthly Report for April

- Patched potholes – Thorntree, Shiloh, Westmoreland
- Sewer Lift Station Repairs- pulled pump 1 at Heritage lift station; Removed pump 1 and 2 from Highland Meadows lift station for repair; Pulled pump from Cumberland
- Heritage Park mowed and weed-eat 3 times
- Read water meters, Service disconnects and reconnects
- Daily inspections of Ovilla Park
- Repair road Buckboard, Georgetown
- Update marquee as needed
- Daily water maintenance residual and pressure test
- Heritage Park, Silver Spur Park and Baseball fields and park - tree and grass maintenance
- 270 tons asphalt in Ovilla Oaks
- Collected Lead and Copper samples for water system
- Mailed CCR reports (Consumer Confidence Annual Water Report)
- Prepared O'Dell field for dedication

- Repaired water leak 507 Johnson Ln
- Prepare baseball field
- Repaired water leak 600 Meadowlark Dr
 - ❖ Jimmy Bryan -
 - Serviced PD Units 103 & 100
 - Repaired street sweeper
 - Repairs on welder
 - Daily Rounds

****Flushed Hydrants**

- Collect water samples for TCEQ reporting
- Water Maintenance – routine flushing mains and hydrant
- Meter Box repair and replace lids as needed

****Water plants at City Hall and park**

City Administrator Activity Report

Cyndy Powell
June 24 – July 03, 2013

Weekly staff meetings continue, they are held on Tuesday mornings at 9:00 a.m.

Meetings with Department Heads were held June 25th and 26th with Brancato, Piland, Moon, and Dooly and facility and city tours provided with respective personnel.

Attended Red Oak Chamber of Commerce luncheon on Wednesday, June 26, 2013.

RFP for Solid Waste and Recycling Staff is reviewing the proposals received from two solid waste disposal vendors; each firm has made a presentation to staff. Staff will prepare a comparison for Council's consideration and present at a future Council meeting.

Planning and Zoning Commission At the July 1, 2013 Commission meeting a Public Hearing was held relating to residential parking regulations. The Commission acted on the Ordinance and the recommendation will be presented for Public Hearing at the July 8 City Council meeting. The Commission also heard preliminary research related to storm shelters.

Employee Compensation and Classification Study RFQ is being revised from an RFP (request for proposals) to an RFQ (request for qualifications) to provide the opportunity for staff to receive and review qualifications of consultants experienced in such studies.

Strategic Plan RFQ is being revised from an RFP to an RFQ to provide the opportunity for staff to receive and review qualifications of consultants experienced in city wide strategic plan design and implementation. EDC board will be presented with the revised RFQ at their next meeting scheduled July 15, 2013.

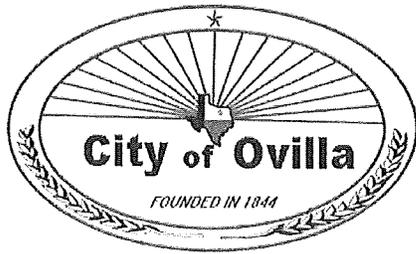
Bryson Manor Subdivision On Monday, July 1, staff met with the land owner's representative and the broker. Staff has reviewed the rough proportionality study received from the engineers regarding the impact of the development. Staff has had discussions with the city attorney regarding the possible option of a development agreement to address the requirements of the rough proportionality study.

Employee Personnel Handbook and related policies and procedures is still underway. Upon completion recommendations will be forthcoming to Council.

Economic Development Corporation on Monday July 1, 2013 I met with President Gary Jones who brought me up to date and shared quite a bit of information with me. I shared with him the status of the RFQ for Strategic Planning and that it would be presented to the Board on July 15th.

2013 – 2014 City Budget Calendar staff has been presenting proposed budget estimates for my review during departmental meetings. We are progressing on schedule per the budget calendar.

Interim City Manager Ms. Lee continues to provide her consultation services for the remainder of the term of the agreement. Ms. Lee and I meet weekly and has been available as needed by staff.



Jessica Foresman
Court Clerk

DATE: July 8, 2013
TO: Honorable Mayor Dormier and City Council Members
FROM: Jessica Foresman, Court Clerk
SUBJECT: Monthly Staff Report

37 traffic, 3 penal code and 2 city ordinance related cases were filed for the month of June. 12 warrants were issued

Court Collection for the month of June was \$8,571.15

\$5,056.42 is kept by the City FYTD \$42,715.89
\$3,514.73 is remitted to State FYTD \$26,080.36

JUNE 2013

Code Enforcement Report

Complaint - 72

Follow up – 102

Door Notice - 41

Mail Notice-- 35

Posted Property – 11 (7 grass, 4 pool)

Court – 2 Pleas of Guilty – 1 Public Nuisance -\$194, 1 Parking in yard - \$172

Citizen contacts - 91

Permits reviewed – 15 Permits issued - 9

Inspections – 13

Nuisance Abated - Mosquito Abatement 2 Pools , Grass and Weeds - 3

Nuisance- Signs –43 (15 Business, 20 Garage Sales , 8 Real Estate)

Illegal Dumping – Johnson Lane- Trash, Red Oak Creek Road-brush

Garage Sale Permits – 16 at \$5 = \$80

Board of Adjustment Variance Request(s) – 2 – Postponed until July 2013

Planning and Zoning Ordinance Review- Parking, Storm Shelters

OSSF – 2 Aerobic System Permits

June 2013 Animal Control Report

Complaints - 46

Follow ups – 62

Door Notices – 19

Impounded Animals – 3

Impound Animal Results - 3 Transported

Impound Fee Collected - \$0

Court – 0

Citizen contacts - 48

Animal Registration Tags Issued – 19 Total \$228.00

Registration Reminders Mailed - 16

Nuisance Letter Mailed - 0

Animals Released – 1 (1-skunk)

Deceased Removed - 20

Oak Leaf – 2 (Trap)

Traps Checked Out – 6

CITY OF OVILLA MINUTES

Monday, June 10, 2013

City Council Special Meeting

105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Dormier and the Ovilla City Council assembled for a Special Dedication Ceremony at the O'Dell Ball Field, behind the City Hall building at 6:00 P.M. The following City Council Members were present:

Ralph Hall	Council Member Place 1
David Griffin	Council Member Place 3
Doug Hunt	Council Member Place 4
Vacant	Council Member Place 5

Absent: Larry Stevenson Council Member Place 2

I. REGULAR AGENDA

ITEM I. Council will attend a dedication ceremony for the naming and sign placement of the O'Dell Ball Field behind the city hall building.

Mayor Dormier opened the naming dedication with welcoming remarks to all present. PL3 Griffin gave the invocation and PL1 Hall led in the recitation of the Pledge of Allegiance. Carl Proefrock, President of the Ovilla Baseball Association offered gratifying and congratulatory comments for the naming of the ball field, followed by gracious comments from the O'Dell family. Mayor Richard Dormier read aloud an O'Dell Ball Field Proclamation. With the assistance from family members and Mayor Dormier, Mr. Weldon O'Dell unveiled the new sign "O'DELL BALL FIELD" followed with applause from everyone.

Mayor Dormier thanked the Ovilla Service League for providing refreshments and invited everyone present of an Ovilla Council meeting to embark at 7:00 p.m., in the Ovilla City Hall Council Chamber Room.

II. ADJOURNMENT

The Meeting adjourned upon completion of the ceremony at approximately 6:45 p.m.

ATTEST:

Richard Dormier, Mayor

Pamela Woodall, City Secretary

July 08, 2013

Attachment: *Copy of Proclamation
Program for O'Dell Dedication Ceremony*

PROCLAMATION

Presented to

The Weldon O'Dell Family

The City of Ovilla's elected and appointed officials, staff and citizen's thank the Weldon O'Dell Family for their many years of dedicated service to the City of Ovilla.

Mr. Weldon O'Dell was Mayor of Ovilla when the baseball fields were created, and

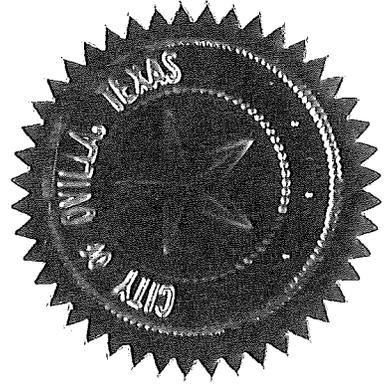
Mr. Weldon O'Dell was instrumental in the establishment of the ballpark, and

The Ovilla City Council proposed naming the main baseball field as "Weldon O'Dell Field", and

The Ovilla City Council and the Ovilla Baseball Association concurs that the proposed name is appropriate.

That the main baseball field located behind the Ovilla City Hall Building at 105 S. Cockrell Hill Road as described is hereby named "Weldon O'Dell Field".

DATE: June 10, 2013

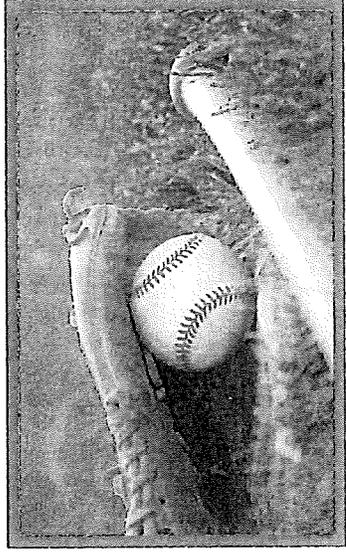


A handwritten signature in black ink, appearing to read "Richard Dormier", written over a horizontal line.

Richard Dormier, Mayor

WELDON O'DELL FIELD

NAMING DEDICATION



Thank you to the Ovilla Service League for providing refreshments. Thank you to the O'Dell family and everyone for coming.

CITY OF OVILLA MINUTES

Monday, June 10, 2013

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 7:00 P.M. The following City Council Members were present:

Ralph Hall	Council Member Place 1
David Griffin	Council Member Place 3
Doug Hunt	Council Member Place 4
Vacant	Council Member Place 5

Absent: Larry Stevenson Council Member Place 2

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

PL4 Hunt gave the Invocation

PL3 Griffin led the recitation of the Pledge of Allegiance

COMMENTS, PRESENTATIONS, REPORTS AND/OR APPOINTMENTS

Mayor Dormier announced the Grand Opening of the Smokin Hot Bar-B-Que Restaurant downtown on Main Street, Saturday, June 8 at 11:00 a.m. was very nice and enjoyed by all attendees.

◆ **Citizens Comments / Citizens Forum:**

1. Mr. Gary Jones, President of the Economic Development Corporation was present for support of the Strategic Plan, listed as Item 3. He asked to speak when Council addressed that item.

◆ **Department Activity Reports / Discussion**

- Police Department Police Chief M. Moon
 - Chief Moon briefed Council on the Police Department monthly report.
- Fire Department Assistant Fire Chief P. Brancato
 - Assistant Fire Chief Brancato briefed Council on the Fire Department monthly report.
 - Elaborated on information regarding a fire that occurred at a home next door to Mayor Dormier-
 - Chief Brancato shared ESD 2 and ESD 4 compliments to the City and Ovilla Fire Department over the past year's departmental operations and staff transitions in the Fire Department.
 - Advised Mayor and Council that volunteer numbers were down slightly.
- Public Works Director B. Piland
 - Briefed Council on the Public Works Department monthly Report
- Administration Interim City Administrator J. Lee
 - Ms Lee gave her Bi-weekly activity report.
 - New City Administrator Cyndy Powell will start work on June 24.
 - The RFP for solid waste and recycling was proceeding as scheduled.
 - The FTA (Failure to Appear) Program research was still ongoing.
 - The Main Street lots purchase was complete.
 - The FY2013-2014 Budget Calendar was attached for Council review; first budget meeting to be held on June 17, 7:00 p.m.
- Municipal Court City Secretary P. Woodall
 - Briefed Council on the monthly Municipal Court report.
- Code Enforcement Code Enforcement Officer M. Dooly

- Mr. Dooly briefed Council on the monthly reports.
- Mr. Dooly updated Council that the residential off-street parking was still under review with the Planning and Zoning Commission.

CONSENT ITEMS

- Minutes of the May 17, 2013 Special Meeting
- Minutes of the May 28, 2013 Regular Council Meeting
- Financial Transactions

PL4 Hunt made the motion that Council approves the consent items as presented, seconded by PL1 Hall. *Mayor Dormier asked for a record vote by announcement of AYE or NAY. Present Council announced AYE in favor. No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 3-0.

REGULAR AGENDA

ITEM I. DISCUSSION/ACTION – Consider Planning & Zoning Commission's recommendation to approve Ordinance 2013-018 repealing Sections 3.05.10 and 3.05.11 of the Ovilla Code of Ordinances and replacing same with new provisions pertaining to the maintenance of fences and inspections of existing fences.

Council reviewed the proposed ordinance and made a few modifications as noted in the motion. Mayor Dormier advised that this ordinance modified the fence materials to existing fences only. Chapter 3, Section 3.05.006 would also need revision to include the same language for fencing materials of new fences as was listed in this new proposed ordinance for existing fences. Staff was directed to bring consideration for those changes to Council at the next meeting. PL1 Hall added that Council expected and supported proactive enforcement. PL3 Griffin commended Code Officer Mike Dooly for doing a good job and wanted to assure him he had backing from the Council.

PL4 Hunt made the motion that Council approves Ordinance 2013-018 repealing Section 3.05.10 and 3.05.11 of the Ovilla Code of Ordinances and replacing same with new provisions pertaining to the maintenance of fences and inspections of existing fences to include the listed modifications:

1. Sub-sections A & G both have the same language detailing approved fence materials:
 - a. Fences shall be constructed of City Code approved wire, wood, wrought iron, vinyl, brick, pierced brick, stone, mortar, blocks, wood or other fence parts or a combination of some or all. The density and design is subject to the Building Code of the City of Ovilla. Wooden fences are required to be natural wood with metal posts except for decorative wooden rail fences. Wood by-products and wood particleboards or sheets of wood by-products of any type are prohibited.
2. Change first paragraph in Section 3.05.11 to read: Existing fences are subject to inspection and may be tagged as safety hazards or public nuisances if not adequately maintained per Sec.3.05.010(c) & (e). Should such notification occur, the owner of the property has ninety-days (90) to rectify. Property owners or residents may seek a one-time ninety-day (90) extension from the City Administrator or designee.

The motion was seconded by PL1 Hall. *Mayor Dormier asked for a record vote by announcement of AYE or NAY. Present Council announced AYE in favor. No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 3-0.

- ITEM 2. DISCUSSION/ACTION** – Consider Planning & Zoning Commission’s recommendation to approve Ordinance 2013-019 amending Chapter 6, Article 6.04, Section 6.04.001 of the Ovilla Code of Ordinances providing new provision pertaining to weeds and grass and other objectionable material.

Under the suggestion of Council, the Planning and Zoning Commission reviewed the grass/weed height portion of the Ordinance and suggested lowering the maximum height for better enforcement. Mayor Dormier read the modifications:

Sec. 6.04.001 Prohibited; maximum height of weeds and grass; other objectionable material: It shall be unlawful for any person owning any premises or property and/or his or her agent, within the city, to fail to keep said premises or property free from weeds, rubbish, brush, fallen trees and any other objectionable, unsightly, or unsanitary matter of whatever nature. It shall be specifically unlawful to allow grass or weeds to exceed nine inches (9”) in height, including grass or weeds located in city right-of-ways and alleys, including grass or weeds beside or under fences from the front to the rear of the property or beside a structure of any type including barns, sheds, vehicles, trailers and items located on grass.

PL3 Griffin made the motion that Council accepts the Planning and Zoning recommended revisions and approves Ordinance 2013-019, relating to Section 6.04.001, Grass/Weeds, seconded by PLI Hall. Mayor Dormier asked for a record vote by announcement of AYE or NAY. Present Council announced AYE in favor. No oppositions, no abstentions.

VOTE: The motion carried unanimously: 3-0.

- ITEM 3. DISCUSSION/ACTION** – Consider development of a citywide multi-year Strategic Plan for the City of Ovilla.

Mayor Dormier acknowledged Mr. Gary Jones, President of the EDC. Mr. Jones stated that the EDC was trying to help the tax base by adding businesses to Ovilla and had been visiting with a company, ORASI for help. Ms Lee advised that prior to acquiring the benefits of ORASI, Ovilla needed a multi-year Strategic Plan in place. The EDC wanted to support in the cost of the Strategic Plan and asked for Council feedback. Research of City of Ovilla records had not identified that the City had ever had a formal multi-year Strategic Plan. The Plan would formally assess needs and resources, and create a formal “Plan” regarding future growth and sustainability of the City. It would establish the vision, mission, values, broad goals, strategic issues, and priorities of the Council and citizens. It would serve as a roadmap for addressing neighborhood vitality, public safety, infrastructure sustainability, economic development, customer service, fiscal accountability, recreation, and environmental health. It would be a barometer to better gauge accountability and the efficiency of City’s services and programs. Ms Lee provided a draft RFP that could be easily modified to a RFQ. Council agreed to the modification to a RFQ and PLI Hall gave the directive to remove insurance and cost sections. This project would hold for the new CA and optimistically return to Council at the second regular meeting in July.

PL3 Griffin made the motion that Council approves the development of a formal Request for Qualifications for a consultant/firm to provide Strategic Planning services and to coordinate with the EDC and bring back to Council for review, seconded by PLI Hall. Mayor Dormier asked for a record vote by announcement of AYE or NAY. Present Council announced AYE in favor. No oppositions, no abstentions.

VOTE: The motion carried unanimously: 3-0.

- ITEM 4. DISCUSSION/ACTION** – Consider review of a preliminary RFP for the creation of a “parks and open space master plan” for future developments.

At the Council meeting on May 13, 2013, during the discussion of Item #4 (approval of a preliminary plat application for Bryson Manor Subdivision), a question was raised regarding requirements for parks and open space in new subdivisions. Staff was directed to place a discussion item for this issue and a preliminary Request for Proposal for a Parks Master Plan on the next Council Agenda. It was also noted that under Item 3, a discussion of a Citywide Five-Year Strategic Plan would also include future strategic direction of Parks, Recreation and Open Space.

PL4 Hunt made the motion that Council Table the Item; seconded by PL3 Griffin. The motion was immediately withdrawn. The governing body shared acclamation to take NO ACTION on this item.

NO ACTION.

TABLED ITEM FROM THE MAY 28, 2013 REGULAR COUNCIL MEETING

ITEM 5. DISCUSSION/ACTION – Consider proposed Ordinance 2013-016 of the City of Ovilla, TX, amending the Fiscal Year 2012-2013 Annual Budget and Program of Services in accordance with the Mid-Year Budget Review and Amendment as part of the formal budget process.

PL4 Hunt made the motion to remove the item from the table for consideration; seconded by PL3 Griffin.

City Accountant Sharon Jungman reviewed the highlights of revenues and expenditures with Council and answered questions. Water sales were down. Council discussed formatting of the mid-year budget and how it could offer uncomplicated viewing – easier and concise. Ms Jungman stated that QuickBooks did not offer a multitude of formats but would try to work with the software. Ms Lee stated that she was used to viewing this type format. It was determined that during the budget workshops, software and/or a change to the format of QuickBooks software would be discussed. PL4 Hunt asked to see a history of previous budget years for comparisons. Ms Jungman stated that during annual budget that would be presented.

PL3 Griffin made the motion that Council approves Ordinance 2013-016 accepting and approving an amended Fiscal Year 2012-2013 Annual Budget and Program of Services in accordance with the mid-year budget review as presented, seconded by PL4 Hunt. *Mayor Dormier asked for a record vote by announcement of AYE or NAY. Present Council announced AYE in favor. No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 3-0.

EXECUTIVE SESSION

Mayor Dormier announced that Council would convene into Executive Session at 8:55 p.m. to discuss the following:

Closed Meeting called pursuant to Texas Government Code Section 551.074 – Personnel Matters

ITEM 5. DISCUSSION/ACTION – – Deliberate the procedures and timeline for the transition from the duties of interim City Administrator to the permanent City Administrator.

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 9:04 p.m. Mayor Dormier stated no action was taken during Executive Session. He asked for discussion or motion.

PL4 Hunt made the motion that Interim CA Ms Lee (First TX Group) remain with Ovilla for a 2-week overlap when the new City Administrator begins employment. Ms Lee was directed to continue working on the Personnel Manual and share her projected status of completion in the upcoming meetings, seconded by PLI Hall. Mayor Dormier asked for a record vote by announcement of AYE or NAY. Present Council announced AYE in favor. No oppositions, no abstentions.

VOTE: The motion carried unanimously: 3-0.

ADJOURNMENT

There being no further business, Mayor Dormier adjourned the meeting at 9:05 p.m.

Richard Dormier, Mayor

ATTEST:

Pamela Woodall, City Secretary

Approved July 08, 2013

Certified Executive Agenda sealed and filed separately.

CITY OF OVILLA MINUTES

Monday, June 17, 2013

*Special City Council Meeting & Budget Workshop
Larry Marlow Fire Department Training Room
105 S. Cockrell Hill Road, Ovilla, TX 75154*

Mayor Dormier called the Special Council Meeting of the Ovilla City Council to order at 7:07 P.M. The following City Council Members were present:

Ralph Hall	Council Member Place 1
Larry Stevenson	Council Member Place 2
Doug Hunt	Council Member Place 4
Vacant	Council Member Place 5

Absent: David Griffin Council Member Place 3

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

Mayor Dormier gave the Invocation and let the recitation of the Pledge of Allegiance.

COMMENTS, PRESENTATIONS, REPORTS AND/OR APPOINTMENTS

♦ Citizens Comments / Citizens Forum:

I. None

REGULAR AGENDA

ITEM 1. DISCUSSION/ACTION – Workshop to review preliminary tax information, budget format, preparation of preliminary budget and meeting schedule.

The budget calendar was discussed with PLI Hall voicing concerns with possibly too many scheduled meetings. However, Council agreed to leave it as is. City Accountant Sharon Jungman shared pre-budget workshop notes and documentation. Council reviewed and discussed each:

1. Budget Format-PLI Hall asked for prior year data on a mid-year budget for next year. He noted last year's format was acceptable; Council concurred.
2. Tax Rate-PLI Hall and City Accountant S. Jungman discussed preliminary ad valorem taxes and M & O Rate.
3. City Fees–Water rate increases accessed by the City of Dallas were discussed. PLI Hall asked Ms Jungman for Water and Sewer Fund retained earnings balance.
4. Performance Pay Increases (tied to fiscal year, effective October 1- 3%)
 - a. Increases were discussed and the City Accountant was asked to include a 3% pay increase into the FY2013-2014 Budget effective October 1.
 - b. Ms Lee recommended a Compensation Study; Council concurred.
5. Council Budget Considerations
 - a. Full-time Fire Chief?
 - b. New staffing position - Investigator in the Police Department?
6. Staff received guidance to provide a FY2013-2014 Budget based on the same projected revenues and expenditures from last year.
 - a. City Accountant will create sheets for supplemental department needs to be considered by Council at future budget workshops.

NO ACTION.

ADJOURNMENT

There being no further business, Mayor Dormier adjourned the meeting at 8:40 p.m.

Richard Dormier, Mayor

ATTEST:

Pamela Woodall, City Secretary

Approved July 08, 2013

CITY OF OVILLA MINUTES

Monday, June 24, 2013
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 7:00 P.M. The following City Council Members were present:

Ralph Hall	Council Member Place 1
Larry Stevenson	Council Member Place 2
Doug Hunt	Council Member Place 4
Vacant	Council Member Place 5

Absent David Griffin Council Member Place 3

Mayor Dormier noted present members, thus constituting a quorum and noted PL3 Griffin with an excused absence. Various department-heads and staff were also present.

PL2 Stevenson gave the Invocation

PL4 Hunt led the recitation of the Pledge of Allegiance

COMMENTS, PRESENTATIONS, REPORTS AND/OR APPOINTMENTS

Mayor Dormier introduced new City Administrator Cyndy Powell. Ms. Powell shared she was delighted to be in Ovilla and hoped to help the community during her tenure.

A brief presentation was given by Mr. Brian Clark of Atkins Global and Bruce Nolley of TX Department of Transportation to discuss a proposed shift alignment of the Loop 9 corridor. Mr. Clark shared that the shift alternatives were first suggested by Cedar Hill officials. He clearly stated this presentation was not to cause alarm or upset the community but to receive feedback from the governing body. He displayed certain factors from the feasibility study:

1. Goals of the study: solicit input from local and community leaders;
2. Identify and consider the potential for impact on the natural, socio-economic and cultural environments;
3. Reduction in the R-O-W – cut nearly half, from 1200 to 650 ft wide
4. Reduced speed limit from 85 mph to 75 mph

It became apparent that there was much concern over this study. The Council Chamber Room exceeded maximum capacity with concerned citizens, including an equal number of citizens were forced to stand outside in the heat. As Mr. Clark concluded his presentation, Mayor Dormier allowed the first group of citizens to leave the building (if wanted) and the outside group to enter the building. Mr. Clark shared his presentation again for the next group of individuals. Citizens were tenacious in their strong opposition to the proposed alternate alignment.

◆ Citizens Comments / Citizens Forum:

1. All comments from those that signed up to speak were in unyielding opposition of the Loop 9 proposed shift alignments. Citizens that spoke were:
 - a. Mr. Ron Graham, 812 Cockrell Hill Road
 - b. Mr. Dean Oberg, 204 Oakwood Lane
 - c. Ms Roma Skinner, 829 Cockrell Hill Road
 - d. Ms JoAnn Graham, 812 Cockrell Hill Road
 - e. Ms Dani Muckleroy, 608 Green Pastures
 - f. Ms Laura Middleton, 110 Bent Tree (Cumberland Forest)
 - g. Mr. Rob Carman, 107 Bent Tree (Cumberland Forest)
 - h. Mr. Vernon Robertson, 106 Burtonwood Circle

◆ **Department Activity Reports / Discussion**

- Finance City Accountant S. Jungman
 - Ms Jungman reviewed the monthly financials with Council.

CONSENT ITEMS

- Minutes of the May 30, 2013 Special Council Meeting

PL1 Hall made the motion that Council approves the consent item as presented, seconded by PL2 Stevenson. Mayor Dormier asked for a record vote by announcement of AYE or NAY. Present Council announced AYE in favor. No oppositions, no abstentions.

VOTE: The motion carried unanimously: 3-0.

REGULAR AGENDA

ITEM 1. DISCUSSION/ACTION – Consider the information presented by Atkins Global and TXDOT regarding the proposed alignment of the Loop 9 Corridor and any necessary action on same.

Council did not require much discussion to quickly concur that the proposed and presented alignment was not ideal or acceptable for Ovilla. Mr. Clark stated that additional public meetings would be forthcoming near the end of the summer or early fall. Right now Atkins and TX DOT were trying to plan a meeting with Glenn Heights Mayor and Council to share this same presentation.

PL1 Hall made the motion that Council denies the proposed alignment of the Loop 9 corridor, seconded by PL2 Stevenson. Mayor Dormier asked for a record vote by announcement of AYE or NAY. Present Council announced AYE in favor. No oppositions, no abstentions.

VOTE: The motion carried unanimously: 3-0.

ITEM 2. DISCUSSION/ACTION – Consider proposed Ordinance 2013-020 Establishing a Program Response and Recovery Phases of Comprehensive Emergency Management.

Chief Moon stated that the adoption of the proposed ordinance would be the first of many steps to move the city towards NIMS (National Incident Management System) compliance. TX Government Code, Chapter 418 required all cities and counties to have an updated emergency operations plan. NIMS compliance allows FEMA funds if ever necessary and, also the possibility of benefits through grants to the governmental agency.

PL4 Hunt made the motion that Council approves proposed Ordinance 2013-020, establishing a program response and recovery phases of comprehensive emergency management, seconded by PL2 Stevenson. Mayor Dormier asked for a record vote by announcement of AYE or NAY. Present Council announced AYE in favor. No oppositions, no abstentions.

VOTE: The motion carried unanimously: 3-0.

ITEM 3. DISCUSSION/ACTION – Consider the draft RFP for the development of an Employee Compensation and Classification Study for the City of Ovilla.

Council asked staff to return this item as a RFQ (Request for Qualifications).

NO ACTION.

ITEM 4. DISCUSSION/ACTION – Consider proposed Interlocal Cooperative Contract for the FTA Program (Omni) with TXDPS.

Staff had previously shared the option to contract with TXDPS and through further research and communications with DPS had received a proposed contract for Council's consideration. City Secretary P. Woodall shared with Council the benefit to entering into a FTA (Failure to Appear) Program through the TX Department of Public Safety in hopes to assist the city in the collection of fines by restricting the renewal of a violator's TX Driver license. Omni Base is the company contracted with DPS to administer to services.

PL1 Hall made the motion that Council approves the Mayor to enter into an Interlocal Cooperation Contract with TXDPS for the Failure to Appear Program, seconded by PL4 Hunt. *Mayor Dormier asked for a record vote by announcement of AYE or NAY. Present Council announced AYE in favor. No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 3-0.

ITEM 5. DISCUSSION/ACTION – Consider proposed Ordinance 2013-021, Repealing Chapter 3, Article 3.05, Section 3.05.006, "Types of Fence and Construction," of the Ovilla Code of Ordinances and adopting new provisions in place thereof.

During the June 10, 2013 Council Meeting, the governing body approved Ordinance 2013-018 repealing and revising certain sections of Chapter 3 of the Ovilla Code of Ordinances, pertaining to the maintenance of fences and inspections of existing fences, including approved fence materials. It was determined then that new provisions to Chapter 3, Article 3.05, Section 3.05.006 "Types of Fence and Construction" needed revision so as not to be in conflict with the new fence maintenance ordinance. The proposed ordinance permits new construction of various types of fence materials and is consistent with the remaining Chapter regarding "replacement fence materials" as outlined in Ordinance 2013-018.

PL4 Hunt was not necessarily in opposition to the new language of the proposed ordinance but did oppose the current language of the code that pertained to the requirements of having the smooth side of the fence pickets on the outside of the homeowners fence, with railing on the inside, which was included in the proposed ordinance.

PL1 Hall made the motion that Council approves the proposed Ordinance 2013-021 repealing Chapter 3, Article 3.05, Section 3.05.006, Types of Fence and Construction of the Ovilla Code of Ordinances as presented, seconded by PL2 Stevenson. *Mayor Dormier asked for a record vote by announcement of AYE or NAY. Council Members Hall and Stevenson announced AYE in favor. PL4 Hunt announced NAY, opposed. No abstentions.*

VOTE: The motion died 2-1.

EXECUTIVE SESSION

Mayor Dormier moved the order of the agenda and called an Executive Session at 8:29 p.m. to deliberate the following item:

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

ITEM 6. DISCUSSION/ACTION – Deliberate the appointment employment, and/or duties of the City Administrator and the continued duties of the former Interim City Administrator.

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

Mayor Dormier, Council and City Administrator Cyndy Powell convened into Regular Session at 9:02 p.m.

PL4 Hunt made a motion that Council continue consulting services with Ms Jacqueline Lee but did not complete the motion or receive a second. The motion was made again:

*Richard Dormier, Mayor
Ralph Hall, Place One
Larry Stevenson, Place Two*

3

*Doug Hunt, Place Four
David Griffin, Place Three
Vacant, Place Five*

PL4 Hunt made the motion to approve the Letter of Understanding with TX First Group to continue consulting services with Ms Lee for a period as stated in the Letter, seconded by PL2 Stevenson. Mayor Dormier asked for a record vote by announcement of AYE or NAY. Present Council announced AYE in favor. No oppositions, no abstentions.

VOTE: The motion carried unanimously: 3-0.

ADJOURNMENT

PL4 Hunt made a motion to adjourn the meeting; seconded by PL2 Stevenson. There being no further business, Mayor Dormier adjourned the meeting at 9:04 p.m.

Richard Dormier, Mayor

ATTEST:

Pamela Woodall, City Secretary

Approved July 08, 2013

Certified Executive Agenda sealed and filed separately.



DATE: 07-08-13

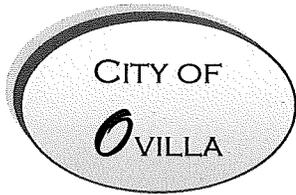
TO: Honorable Mayor and Council Members

FROM: Sharon Jungman

SUBJECT: Expenditures in June 2013 over \$5,000

City of Ovilla Expenditures in June 2013 Over \$5,000

General Fund			Description	Amount
Date	Check#	Payee		
6/20/2013	41440	APAC, Texas	Purchase Asphalt	\$8,685.79
6/24/2013	41458	Blue Cross/Blue Shield	Health Insurance	\$5,758.24
6/6/2013	ACH	Quick Books Payroll Service	Payroll	\$33,254.84
6/20/2013	ACH	Quick Books Payroll Service	Payroll	\$33,708.85
6/12/2013	41411	T.M.R.S.	Retirement	\$8,493.04
6/7/2013	ACH	US Treasury	Payroll Taxes	\$6,608.12
6/21/2013	ACH	US Treasury	Payroll Taxes	\$6,663.36
Total General Fund Transactions Paid in June 2013 \$5,000 and Over				<u>\$103,172.24</u>
Water & Sewer Fund			Description	Amount
Date	Check#	Payee		
6/13/2013	15175	City of Dallas	Water Purchase	\$23,931.78
Total Water & Sewer Fund Transactions Paid in June 2013 \$5,000 and Over				<u>\$23,931.78</u>



Villa City Council

AGENDA ITEM REPORT

Item(s): 1 (City Secretary use only)

Meeting Date: July 8, 2013

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Amount: N/A

Attachments:

1. Proposed Resolution
2. Copy of Local Government Code 22.010
3. Copy of TX Constitution, Article 11

Agenda Item / Topic:

ITEM 1. DISCUSSION/ACTION – Consider proposed Resolution 2013-007 to accept nominations and make appointment to City Council Place 5; to complete the remainder of the term vacated by the May 2013 General Election of Mayor Dormier.

Discussion / Justification:

One year remains on the term of Council Place 5 vacated by Mayor Dormier.

If a term has less than two years and it is a single vacancy, it may be filled either by appointment until the next general election or by special election, at the option of the council.

Under Type A General Law Municipalities, the Local Government Code Section 22.010 states that for any reason a single vacancy exists on the governing body of the municipality, a majority of the remaining members, excluding the mayor, may fill the vacancy by appointment unless an election to fill the vacancy is required (TX Constitution, Article 11). The mayor may vote on the appointment only in the event of a tie.

Council was unable to pass a motion at the May 28, 2013 Regular Council Meeting for the Place 5 appointment. Three names were nominated on that date: Ms Carol Lynch (has since withdrawn), Mr. Dean Oberg (currently a Planning and Zoning Commission Member) and Mr. John Knight (currently an Economic Development Corporation Director). This item has been on hold until this meeting date to allow the full attendance of the governing body.

Recommendation / Staff Comments:

N/A

Sample Motion(s):

"I MAKE A MOTION THAT COUNCIL APPOINTS _____ TO SERVE AS CITY COUNCIL MEMBER PLACE FIVE FILLING THE ONE-YEAR VACANCY UNTIL THE NEXT GENERAL ELECTION."

**CITY OF OVILLA
RESOLUTION 2013-007**

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS PURSUANT TO SECTION 22.010 OF THE LOCAL GOVERNMENT CODE; PROVIDING THAT IF A SINGLE VACANCY EXISTS ON THE GOVERNING BODY OF THE MUNICIPALITY, A MAJORITY OF THE REMAINING MEMBERS MAY FILL THE VACANCY BY APPOINTMENT.

Whereas, Richard Dormier was elected to Place 5 in the May 2012 general election and;

Whereas, Richard Dormier was an unopposed candidate for Mayor in the May 2013 general election and;

Whereas, Richard Dormier is now Mayor of Ovilla, vacating Place 5, an unexpired term until May 2014 and;

Whereas, pursuant to Section 22.010 of the Local Government Code, the governing body may fill a single vacancy of by appointment of the majority of the remaining members until the May 2014 general election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS:

THAT, the City Council of the City of Ovilla, Texas, hereby appoints _____ to fill the vacancy of City Council Member, Place 5 until the next municipal election.

PASSED AND APPROVED this 8th day of July 2013.

Richard Dormier, Mayor

ATTEST:

Pamela Woodall, City Secretary

FILLING VACANCY ON GOVERNING BODY OR IN OTHER MUNICIPAL OFFICE. (a) If for any reason a single vacancy exists on the governing body of the municipality, a majority of the remaining members, excluding the mayor, may fill the vacancy by appointment unless an election to fill the vacancy is required by Article XI, Section 11, of the Texas Constitution. The mayor may vote on the appointment only if there is a tie.

(a-1) A person serving as a member of the governing body is not, because of that service, ineligible to be appointed to fill a vacancy in the office of mayor of the municipality, but the person may not vote on the person's own appointment.

(b) The person appointed to fill the vacancy serves until the next regular municipal election.

(c) In lieu of appointing a person to fill a vacancy on the governing body, a special election may be ordered to elect a person to fill the vacancy.

(d) If two or more vacancies on the governing body exist at the same time, a special election shall be ordered to fill the vacancies.

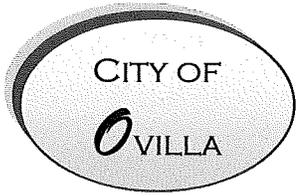
(e) If a vacancy exists in any other municipal office, the mayor or acting mayor shall appoint a person to fill the vacancy, subject to confirmation by the governing body.

THE TEXAS CONSTITUTION

ARTICLE 11. MUNICIPAL CORPORATIONS

Sec. 11. TERM OF OFFICE EXCEEDING TWO YEARS IN HOME RULE AND GENERAL LAW CITIES; VACANCIES. (a) A Home Rule City may provide by charter or charter amendment, and a city, town or village operating under the general laws may provide by majority vote of the qualified voters voting at an election called for that purpose, for a longer term of office than two (2) years for its officers, either elective or appointive, or both, but not to exceed four (4) years; provided, however, that tenure under Civil Service shall not be affected hereby; provided, however, that such officers, elective or appointive, are subject to Section 65(b), Article XVI, of this Constitution, providing for automatic resignation in certain circumstances, in the same manner as a county or district officer to which that section applies.

(b) A municipality so providing a term exceeding two (2) years but not exceeding four (4) years for any of its non-civil service officers must elect all of the members of its governing body by majority vote of the qualified voters in such municipality, and any vacancy or vacancies occurring on such governing body shall not be filled by appointment but must be filled by majority vote of the qualified voters at a special election called for such purpose within one hundred and twenty (120) days after such vacancy or vacancies occur.



AGENDA ITEM REPORT

Item(s): 2 (City Secretary use only)

Meeting Date: July 8, 2013

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Amount: \$N/A

Attachments:

I. Copy of LGC 22.037

Agenda Item / Topic:

ITEM 2. DISCUSSION/ACTION – Consider the appointment of Mayor Pro-Tem.

Discussion / Justification:

Council was unable to pass a motion on this item when addressed on May 28. This item has been on hold until this meeting date to allow the full attendance of the governing body.

Section 22.037 of the Local Government Code states that the Mayor Pro-Tem is a council member that performs the mayor’s duties during the mayor’s incapacity or absence. The Mayor-Pro-Tem is selected by majority vote of the council from among its own membership. 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.

Recommendation / Staff Comments:

N/A

Sample Motion(s):

“I MAKE A MOTION THAT COUNCIL APPOINTS _____ AS THE MAYOR PRO-TEM FOR THE CITY OF OVILLA FOLLOWING THE MAY 2013 ELECTION FOR THE PERIOD OF MAY 2013 – MAY 2014.”

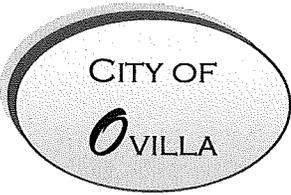
§ 22.037. MAYOR AS PRESIDING OFFICER; PRESIDENT PRO

TEMPORE. (a) The mayor shall preside at all meetings of the governing body of the municipality and, except in elections, may vote only if there is a tie.

(b) At each new governing body's first meeting or as soon as practicable, the governing body shall elect one alderman to serve as president pro tempore for a term of one year.

(c) If the mayor fails, is unable, or refuses to act, the president pro tempore shall perform the mayor's duties and is entitled to receive the fees and compensation prescribed for the mayor.

(d) If the mayor and the president pro tempore are absent, any alderman may be appointed to preside at the meeting.



AGENDA ITEM REPORT

Item(s): 3 (City Secretary use only)

Meeting Date: July 8, 2013

Department: Administration

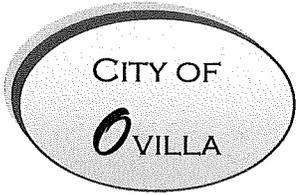
Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Amount: N/A

Attachments:	
I. Applications	
Agenda Item / Topic:	
ITEM 3.	DISCUSSION/ACTION – Consider nominations and appointments/reappointments to the Planning and Zoning Commission.
Discussion / Justification:	
<p>The Planning & Zoning Commission consists of a seven-member board. Each member shall be appointed by the City Council for a two-year term. During the May 28, 2013 Regular Council Meeting, staff shared expiring Planning and Zoning Commission terms. Staff made contact with those members:</p> <p>Current terms expiring are:</p> <p style="padding-left: 40px;">Kenneth Rarick, PL1 (Does not desire reappointment) Loreen Silva, PL3 (Does not desire reappointment) Richard Edmiston, PL5 (Does not desire reappointment) Bill Zimmermann, PL7(Reappointed on May 28)</p> <p>Council reappointed Mr. Bill Zimmermann (May 28th meeting) to serve another term and has completed the Open Meetings Act Training. Places 1, 3 & 5 are still open.</p> <p>Staff was notified that one member from the CIP wished to serve on the P&Z. Additionally, staff has received one additional board application for appointment. Both applications are attached for Council's review and consideration.</p>	
Recommendation / Staff Comments:	
N/A	
Sample Motion(s):	
<p>SAMPLE MOTION: "I MAKE A MOTION THAT COUNCIL APPOINT:</p> <p style="padding-left: 40px;">1. _____ 2. _____ 3. _____</p> <p style="padding-left: 40px;">TO THE Planning & Zoning Commission."</p> <p style="padding-left: 40px;">-And/or-</p> <p>"I MAKE A MOTION THAT COUNCIL DIRECT STAFF TO CONTINUE SOLICITATION OF APPLICATIONS FOR P&Z APPOINTMENTS."</p>	



AGENDA ITEM REPORT

REGULAR AGENDA

Item(s): 4 (City Secretary use only)

Meeting Date: July 8, 2013

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted by: Staff

Amount: \$N/A

Attachments:

I. Proposed Ordinance 2013-021

Agenda Item / Topic:

ITEM 4. DISCUSSION/ACTION – Consider proposed Ordinance 2013-021, Repealing Chapter 3, Article 3.05, Section 3.05.006, “Types of Fence and Construction,” of the Ovilla Code of Ordinances and adopting new provisions in place thereof.

Discussion / Justification:

During the June 10, 2013 Council Meeting, the governing body approved Ordinance 2013-018 repealing and revising certain sections of Chapter 3 of the Ovilla Code of Ordinances, pertaining to the maintenance of fences and inspections of existing fences, including approved fence materials. It was determined during discussion of the maintenance requirements for existing fences that there would be a conflict in acceptable materials for new fences allowing for instance particle board and plywood fences for new construction.

The proposed ordinance permits new construction of various types of fence materials and is consistent with the allowed materials used for “replacement fence materials” as outlined in Ordinance 2013-018.

Recommendation / Staff Comments:

Staff recommends approval.

Sample Motion(s):

“I MAKE A MOTION THAT THE COUNCIL APPROVES / DENIES THE PROPOSED ORDINANCE 2013-021 REPEALING CHAPTER 3, ARTICLE 3.05, SECTION 3.05.006, TYPES OF FENCE AND CONSTRUCTION OF THE OVILLA CODE OF ORDINANCES AS PRESENTED.”

MOTION: _____
SECONDED: _____
OPPOSITION: _____
ABSTENTION: _____
VOTE: _____

ORDINANCE NO. 2013-021
New Fences

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, REPEALING CHAPTER 3, ARTICLE 3.05, SECTION 3.05.006, "TYPES OF FENCE AND CONSTRUCTION," OF THE OVILLA CODE OF ORDINANCES, AND ADOPTING NEW PROVISIONS IN PLACE THEREOF; 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.

WHEREAS, the City Council of the City of Ovilla, Texas, does find and determine that it is in the best interest of the health, safety and welfare of citizens of the City of Ovilla, Texas, to revise certain provisions of the Ovilla Code of Ordinances pertaining to the materials allowed for the construction of new fences.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, THAT:

SECTION 1. REPEAL OF CHAPTER 3, ARTICLE 3.05, SECTION 3.05.006 OF THE OVILLA CODE OF ORDINANCES

Chapter 3, Article 3.05, Section 3.05.006 of the Ovilla Code of Ordinances is hereby repealed.

SECTION 2. ADOPTION OF NEW CHAPTER 3, ARTICLE 3.05, SECTION 3.05.006 OF THE OVILLA CODE OF ORDINANCES

The following provisions are hereby adopted as Chapter 3, Article 3.05, Section 3.05.006 of the Ovilla Code of Ordinances:

Sec. 3.05.006 Types of fence and construction

(a) It shall be unlawful for any fence that is electrically charged in any form or manner to be erected in an area zoned for residential use. This does not apply to usage for restraining livestock in which case [electrical charge] warning signs must be posted every seventy-five feet (75'). Electrical charging units must be UL approved and of the DC variety only.

(b) Fences will be constructed in such a manner to ensure structural stability. Posts will be set in concrete of sufficient thickness to provide stability. Wooden fences: The posts and rails of a new or extended fence must not be exposed to an adjacent street, or a neighbor's yard, in other words, the smooth side of a fence must face an adjacent public street or a neighbor's property. Also, both new and replacement wooden fences must have metal posts set in concrete.

(c) Fences shall be constructed of City Code approved wire, wood, wrought iron, vinyl, brick, pierced brick, stone, mortar, blocks, wood or other fence parts or a combination of some or all. The density and design is subject to the Building Code of the City of Ovilla. Wooden fences are required to be natural wood with metal posts except for decorative wooden rail

ORDINANCE NO. 2013-021
New Fences

fences. Wood by-products and wood particleboards or sheets of wood by-products of any type are prohibited.

(d) All fences listed under Section 2, Chapter 3.05.006 (c) as listed above must have appropriate support, as approved by the building inspector.

(e) In order to allow for the entrance and exit of fire department and police department personnel, there must be at least one (1) gate no less than three feet (3') wide on each fence that is adjacent or parallel to a public alley or utility easement. This does not pertain to those easements which the city has allowed to be completely fenced in.

(f) In all residential developments with rear or side entry access to a garage or carport, the fence height must provide visibility of the street or alley from the driveway for a distance of at least ten feet (10') on both sides of the driveway.

(g) A fence higher than three and one-half feet (3-1/2') above the established street grades cannot be constructed within twenty feet (20') of any street intersection (refer to Ordinance 160 Revised, part II, section 10-2).

(h) Materials that are not usual fence materials, i.e., chicken wire, hardware cloth, etc., shall not be used as fencing unless for agricultural usage.

(i) Barbed wire shall be used only for agricultural use, to restrain livestock.

SECTION 3. SAVINGS CLAUSE

In the event that any other Ordinance of the City of Ovilla, Texas, heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail.

SECTION 4. SEVERANCE CLAUSE

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. INCORPORATION INTO THE CODE OF ORDINANCES

The provisions of this ordinance shall be included and incorporated in the City of Ovilla Code of Ordinances and shall be appropriately renumbered, if necessary, to conform to the uniform numbering system of the Code.

SECTION 6. EFFECTIVE DATE

Because of the nature of interest and safeguard sought to be protected by this Ordinance and in the interest of the citizens of the City of Ovilla, Texas, this Ordinance shall take effect immediately after passage, approval and publication, as required by law.

ORDINANCE NO. 2013-021
New Fences

SECTION 7. PUBLICATION

The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

PASSED, ADOPTED AND APPROVED by the City Council of Ovilla, Texas on this the ***24th*** day of ***June 2013***.

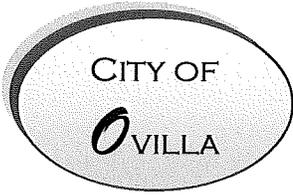
Richard Dormier, Mayor

ATTEST:

Pamela Woodall, City Secretary

APPROVED AS TO FORM:

Ron G. MacFarlane, Jr., City Attorney



AGENDA ITEM REPORT

REGULAR AGENDA

Item(s): 5 (City Secretary use only)

Meeting Date: July 8, 2013

Department: Administration/Code Enforcement

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Amount: \$N/A

Attachments:
I. Sample storm shelter information
Agenda Item / Topic:
ITEM 5. DISCUSSION – Review and discuss options for proposed storm shelters.
Discussion / Justification:
An Ovilla resident approached the Planning and Zoning Commission during the July 1, meeting and requested that storm shelters be considered in Ovilla. Currently, the Code of Ordinances does not address storm shelters. Staff is currently researching underground shelters and aboveground safe-houses/safe-sheds.
Recommendation / Staff Comments:
N/A
Sample Motion(s):
DISCUSSION ONLY.

Storm Shelters & Tornado Shelters

UNDERGROUND SHELTERS

What is your plan in the event of a catastrophic event? Where will you go during a violent storm such as a tornado or hurricane? Only a storm shelter or tornado shelter can provide iron clad protection against the elements.

Storm shelters and tornado shelters made out of cheap materials may not stand the test of time. Plastic and fiberglass tornado shelters often crack and break down over time when placed in the ground. A cement storm shelter or tornado shelter is likely to leak and stay damp. We have even heard reports of cement tornado shelters and storm shelters filling up with water. Concrete, after all, is a porous material.

But protecting your family from tornadoes is not the only reason to invest in a storm shelter. **Did you know that adding a storm shelter can increase the value of your home?**

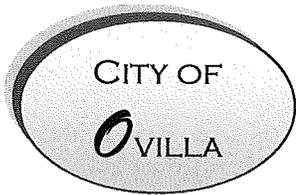
Real 10 gauge steel ensures the structural strength of Survive-a-Storm's shelters.



ABOVE GROUND SAFE ROOM Characteristics

- ✓ Heavy 10-gauge structural steel.
- ✓ Easy to assemble with basic tools.
- ✓ Three-point locking system with deadbolt.
- ✓ Precision CNC manufacturing.
- ✓ Rugged powdercoated finish.

- ✓ **Producer Member of the NSSA.** Tested, and certified to be in compliance with FEMA 320 and 361 and ICC-500 requirements for residential and community **safe rooms**.
- ✓ **Plans sealed by licensed professional engineer.**
- ✓ **Bolt-together design.**
- ✓ **Massive anchors.**
- ✓ **Accredited Member of the Better Business Bureau.**
- ✓ **Carpeted installation template.**



Villa City Council

AGENDA ITEM REPORT

REGULAR AGENDA

Item(s): **6** (City Secretary use only)

Meeting Date: July 8, 2013

Department: Mayor & Council

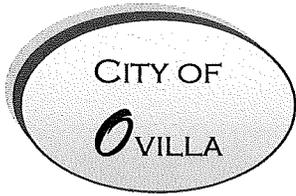
Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Amount: \$N/A

Attachments:	
I. Materials to be provided by Mayor Dormier at the meeting.	
Agenda Item / Topic:	
ITEM 6.	DISCUSSION – Orientation to review and discuss duties and protocols as a city council member.
Discussion / Justification:	
This item was requested by the Mayor as orientation to the new member in Place 5.	
Recommendation / Staff Comments:	
N/A	
Sample Motion(s):	
DISCUSSION ONLY.	



Ovilla City Council

AGENDA ITEM REPORT PUBLIC HEARING/ACTION/DISCUSSION

Meeting Date: July 8, 2013

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Amount: \$N/A

Attachments:

1. Proposed Ordinance
2. Planning & Zoning recommendation

Agenda Item / Topic:

Public Hearing & Discussion – Discuss and consider the proposed change to Chapter 14 of the Ovilla Code of Ordinances:

Case No. PZ13-011: A request by The City of Ovilla: Receive recommendation from the Planning and Zoning Commission to consider and approve proposed Ordinance 2013-022 repealing Chapter 14, Article 4, Sections 33.8 and 33.9 of the Ovilla Code of Ordinances and adopting a new “Residential Parking Regulations and Development Standards” as Section 33.8.

DISCUSSION/ACTION – Case No. PZ13-011: Consideration of proposed Ordinance 2013-022 repealing Chapter 14, Article 4, Sections 33.8 and 33.9 of the Ovilla Code of Ordinances and adopting a new “Residential Parking Regulations and Development Standards” as Section 33.8.

Discussion / Justification:

This has been an ongoing detailed review with the Planning and Zoning Commission and with Council to modify the “Residential Parking and Screening” ordinance; revising/strengthening the language to support enforcement with the intent to improve the overall aesthetics and safety of Ovilla.

This proposed Ordinance has been reviewed, revised and approved by legal counsel.

Recommendation / Staff Comments:

N/A

Sample Motion(s):

“I MAKE A MOTION THAT COUNCIL APPROVES ORDINANCE 2013-022, RESIDENTIAL PARKING REGULATIONS AND DEVELOPMENT STANDARDS, AS PRESENTED.”

ORDINANCE NO. 2013-022

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, REPEALING CHAPTER 14, ARTICLE 4, SECTIONS 33.8 AND 33.9 OF THE OVILLA CODE OF ORDINANCES AND ADOPTING NEW "RESIDENTIAL PARKING REGULATIONS AND DEVELOPMENT STANDARDS" AS SECTION 33.8; 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.

WHEREAS, the City Council of the City of Ovilla, Texas, does find and determine that it is in the best interest of the health, safety and welfare of citizens of the City of Ovilla, Texas, to amend provisions of the Ovilla Code of Ordinances pertaining to the residential parking regulations and development standards.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, THAT:

SECTION 1. REPEAL OF CHAPTER 14, ARTICLE 4, SECTIONS 33.8 AND 33.9 OF THE OVILLA CODE OF ORDINANCES

Chapter 14, Article 4, Sections 33.8 and 33.9 of the Ovilla Code of Ordinances are hereby repealed.

SECTION 2. AMENDMENT OF CHAPTER 14, ARTICLE 4, OF THE OVILLA CODE OF ORDINANCES BY THE ADOPTION OF A NEW SECTION 33.8 PROVIDING FOR RESIDENTIAL PARKING REGULATIONS AND DEVELOPMENT STANDARDS

Chapter 14, Article 4 of the Ovilla Code of Ordinances is hereby amended by the addition of a new Section 33.8 to read as follows:

33.8 RESIDENTIAL PARKING REGULATIONS AND DEVELOPMENT STANDARDS

A. Generally: It is recognized that uncontrolled residential off-street parking, specifically in residential front and side yards, is a public nuisance. The purpose of this section is to provide for the regulation of residential off-street parking and to specify the requirements for residential off-street parking as they pertain to the appearance, visual neighborhood integrity and the health, safety, and welfare of the city.

B. Definitions:

1. **All-Weather Parking Facility** means asphalt or concrete paving suitable for vehicle parking and approved by the City's Engineer or Code Enforcement Officer. Additional surfaces are listed in Section D hereof.

2. **Screening Fence** means a barrier at least six feet (6') in height of City Code approved stone, brick, pierced brick or block, uniformly colored wood or other permanent material which forms a visual barrier of equal character. New wood fences and extended wood fences are to have metal poles set in concrete. The posts and rails of a

new or extended fence must not be exposed to and adjacent street or a neighbor's property. The density and design subject to the Building Code of the City of Ovilla; provided, however, any such structure in excess of eight feet (8') in height shall be deemed a wall and also will be subject to the provisions of the Building Code of the City of Ovilla. For the purposes of this Article, a vehicle shall be deemed to be screened from view when it is behind a screening fence.

3. **Side Yard** for purposes of this Section 33.8 shall refer to the area behind an imaginary line extending perpendicularly from the front corner of the residential structure to the side lot line, extending to an imaginary line perpendicular to the side lot line which touches the back corner of the residential structure closest to the side lot line at which point the "rear yard" begins.

4. **Rear Yard** shall refer to that area of a lot circumscribed by the back lot line, the side lot lines extending to imaginary lines perpendicular from the back corners of the residential structure, and the back-side of the residential structure.

5. **Driveway.** A driveway for access to any residential parking space or to a residential parking area shall not be less than twenty (20') feet in width, or more than thirty (30') feet in width, as measured at the property line along the street. The driveway material shall be concrete or a material approved by the City's Building Code, City Engineer or Code Enforcement Officer. A permit is required to alter or build a driveway.

C. Off-Street Parking Regulations: Except as otherwise provided in this Section, it shall be unlawful for any person to park or to cause, suffer, maintain or allow to be parked upon any property under his control any automobile, truck, bus, motorcycle, motor home, camper, trailer, truck tractor, road tractor, semi-trailer, pole trailer, boat or mobile home, on any yard:

1. in front of,
2. on the side yard of, or
3. on the rear yard of any single-family residence, duplex or townhouse, or upon any property zoned "R", including commercial property used as a residence.
4. Exceptions: Sections C.2 and C.3 shall not apply to automobiles, trucks, and vans, which have a carrying capacity of four thousand (4,000 lbs.) pounds or less, or to motor homes, campers, and trailers, which have a length of less than thirty (30') feet; and to motorcycles and boats:
 - a. when parked on any side yard described in Section B.3 and only when such vehicle(s) is screened from view from any public street by a screening fence subject to Section B.1; or,
 - b. when parked on any rear yard described in Section B.4 which is not adjacent to one or more street corners; or,
 - c. when parked on any rear yard described in Section B.4 when such vehicle(s) is screened from view from any public street by a screening fence subject to Section B.1.

5. Violators tagged for failure to properly screen vehicles subject to Section B.2 will have ninety (90) days to come into compliance. Property owners may seek from the City Administrator or designee, a one (1) time only ninety (90) day extension.

D. Parking of Certain Vehicles

1. To be parked (if said vehicle be a truck tractor, road tractor, trailer, semi-trailer, pole trailer, bus, motor home, mobile home or any commercial motor vehicle), upon a public street, alley, parkway or boulevard measuring less than thirty-eight feet (38') in width, or public property; nothing herein shall authorize the parking of mobile homes in any location, public or private, unless pursuant to a permitted use authorized by the Zoning Ordinance or regulations of the Building Official or Code Enforcement Officer. This section shall not apply to street construction, maintenance and repair equipment; trucks, equipment, trailers, and vehicles used by public service utility companies engaged in repairing or extending public service utilities; motor buses when taking on or discharging passengers at customary bus stops; other vehicles when actually parked at a designated loading zone; Municipal vehicles or ISD vehicles in the course of performance of City or ISD business; or when it is lawful to park a commercial motor vehicle for the purpose of accepting or delivering transportable goods. It is an affirmative defense to prosecution under this section that the vehicle had a mechanical defect, making it unsafe to proceed further, in which event it shall be lawful to stand or park the vehicle during the time necessary to make emergency repairs.
2. To be parked or to be left standing if such vehicle is a commercial vehicle, which is more than twenty-two (22') in length, or more than eight feet (8') high at its highest point, or more than eight feet (8') wide at its widest point on any public street, alley, parkway, boulevard, public park, public property or private drive in or adjacent to a residentially zoned district of the Code of the City of Ovilla. Nothing herein shall authorize the parking of mobile homes in any location, public or private, unless pursuant to a permitted use authorized by the "Zoning" Chapter of the Code of the City of Ovilla or regulations of the Building Official or the Code Enforcement Officer. This section shall not apply to street construction, maintenance, and repair equipment; trucks, equipment, or trailers repairing or extending public service utilities; motor buses or other commercial vehicles when taking on or discharging passengers; other vehicles when actually parked at a designated loading zone; vehicles authorized by the municipality to perform City business or ISD to pick up and deliver school children; or vehicles making acceptance or vehicles making acceptance or delivery of transportable goods. It is an affirmative defense to prosecution under this section that the vehicle had a mechanical defect, making it unsafe to precede further, in which even it shall be lawful to stand or park the vehicle during the time necessary to make emergency repairs.

E. Residential Parking Development Standards

E. Residential Parking Development Standards

1. *Driveway Pavers and Concrete Pads and Runners.* If used, pavers designed for vehicle weight and concrete pads or concrete runners are not to exceed one-half inch (1/2") above the surface of the yard in which they are placed to allow them to be properly mowed and trimmed around.
2. *Off-Street All Weather Parking Facility Surfaces.* If desired by the owner of the residence, Off-Street Surfaces beyond the existing driveway for vehicles located in the "rear yard" must be approved and permit obtained. Off-Street Surfaces include concrete, concrete runners, asphalt, asphaltic-concrete, road base, parking pavers, gravel on top of base, or an alternate surface, which has been approved by the City's Engineer or Code Enforcement Officer.
3. *Relationship to Curb.* All vehicles shall be so parked in relation to the street and dwelling at right angles and not to extend over any walkway or be closer than eight (8") inches from the back of the curb so they will not obstruct the pedestrian ways. A violation of this Section E.3 cited by the Administrative Official or City Code Enforcement Officer must be made compliant within twenty four (24) hours.

33.9 [Reserved for Expansion]

SECTION 3. SAVINGS CLAUSE

In the event that any other Ordinance of the City of Ovilla, Texas, heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail.

SECTION 4. SEVERANCE CLAUSE

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. INCORPORATION INTO THE CODE OF ORDINANCES

The provisions of this ordinance shall be included and incorporated in the City of Ovilla Code of Ordinances and shall be appropriately renumbered, if necessary, to conform to the uniform numbering system of the Code.

SECTION 6. EFFECTIVE DATE

Because of the nature of interest and safeguard sought to be protected by this Ordinance and in the interest of the citizens of the City of Ovilla, Texas, this Ordinance shall take effect immediately after passage, approval and publication, as required by law.

SECTION 7. PUBLICATION

The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

PASSED, ADOPTED AND APPROVED by the City Council of Ovilla, Texas on this the _____ day of _____, 2013.

Richard Dormier, Mayor

ATTEST:

Pamela Woodall, City Secretary

APPROVED AS TO FORM:

Ron G. MacFarlane, Jr., City Attorney



**City of OVILLA Planning & Zoning Commission
Recommendation**

PUBLIC HEARING

Public Hearing & Discussion – Discuss and consider the proposed change to Chapter 14 of the Ovilla Code of Ordinances:

Case No. PZ13-011: A request by The City of Ovilla, to recommend approval of an ordinance to the Ovilla City Council repealing Chapter 14, Article 4, Sections 33.8 and 33.9 of the Ovilla Code of Ordinances and adopting a new “Residential Parking Regulations and Development Standards” as Section 33.8.

INDIVIDUAL CONSIDERATION & REGULAR AGENDA

ITEM I. DISCUSSION/ACTION – Case No. PZ13-011: A request by The City of Ovilla, to recommend approval of an ordinance to the Ovilla City Council repealing Chapter 14, Article 4, Sections 33.8 and 33.9 of the Ovilla Code of Ordinances and adopting a new “Residential Parking Regulations and Development Standards” as Section 33.8.

PLANNING AND ZONING Members present, and upon a record vote of:

PL 1 Rarick	<u>AYE</u>	PL5 Edmiston	<u>ABSENT</u>
PL2 Yordy	<u>AYE</u>	PL6 Lamar	<u>AYE</u>
PL3 Silva	<u>ABSENT</u>	PL7 Zimmermann	<u>AYE</u>
PL4 Oberg	<u>AYE</u>		

5 FOR

0 AGAINST

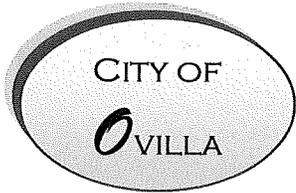
0 ABSTAIN

Samuel A. Rarick
Presiding Officer of P&Z

7/01/2013
Date

[Signature]
Secretary Signature

7.1.13
Date



AGENDA ITEM REPORT
PUBLIC HEARING/ACTION/DISCUSSION

Meeting Date: July 8, 2013

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Amount: \$N/A

Attachments:

- 1. Application
2. Proposed replat

Agenda Item / Topic:

Public Hearing & Discussion - Discuss and consider a replat request to combine two residential lots:

Case No. Replat No. 201213-001: A request filed by Mr. Mohamad Soueid for Council's consideration to replat his property; combining two lots (#2 and #3), Block H in the Ovilla Parc Phase 2 residential development.

DISCUSSION/ACTION - Case No. Replat No. 201213-001: A request filed by Mr. Mohamad Soueid for Council's consideration to replat his property; combining two lots (#2 and #3), Block H in the Ovilla Parc Phase 2 residential development.

Discussion / Justification:

Mr. Soueid requests to combine his two lots in Ovilla Parc prior to beginning his residential home construction.

Recommendation / Staff Comments:

N/A

Sample Motion(s):

"I MAKE A MOTION THAT COUNCIL APPROVES THE REPLAT REQUEST FILED BY MR. MOHAMAD SOUEID AS PRESENTED."