

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 agreement 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 the 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 PL1

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

4

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

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VOTE: The motion carried unanimously: 3-0.

ADJOURNMENT

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



ATTEST:

Pamela Woodall, City Secretary

Richard Dormier, Mayor

Approved July 08, 2013

Certified Executive Agenda sealed and filed separately.