

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 that 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:

- I. 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 TXDOT 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 requires 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 the services.

PLI 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.

PLI 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 did not pass, 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*

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*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.



ATTEST:



Pamela Woodall, City Secretary



Richard Dormier, Mayor

Approved July 08, 2013

Certified Executive Agenda sealed and filed separately.