

City of OVILLA City Council

Rachel Huber, Place One
Larry Stevenson, Place Two
David Griffin, Place Three, Mayor Pro Tem

Richard Dormier, Mayor

Doug Hunt, Place Four
Dean Oberg, Place Five
Cyndy Powell, City Administrator

105 S. Cockrell Hill Road, Ovilla, TX 75154

Monday, August 11, 2014

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, August 11, 2014 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

- Proclamation: Constitution Week, Old Chisholm Trail, NSDAR
- 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 | Fire Chief P. Brancato |
| ○ Monthly Report | |
| • Public Works | Public Works Director B. Piland |
| ○ Monthly Report | |
| • Administration | City Administrator C. Powell |
| ○ Weekly activity report(s) | |
| ○ Monthly Municipal Court Report | City Secretary P. Woodall |
| • Code Enforcement/Animal Control | Code/A/C Officer M. Dooly |
| ○ Monthly Reports | |

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.

- C1. Resolution R2014-027 authorizing the Mayor to execute an Interlocal Agreement by and Between the City of Ovilla, Texas and the City of Midlothian, Texas for emergency medical transport services.
- C2. Minutes of the June 23, 2014 Regular Council Meeting
- C3. Minutes of the July 09, 2014 Special Council Meeting
- C4. Minutes of the July 14, 2014 Regular Council Meeting

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IV. PUBLIC HEARINGS

Public Hearing & Discussion – Discuss and consider recommended zoning changes:

Case No. PZ14-02. A request by the City of Ovilla, for a change in zoning from RC (Single Family Residential District 5 Acre Minimum) to RE (Single Family Residential District 1 Acre Minimum) on 5.61 acres of land, more or less, out of the Westmoreland Estates 1, Lots 25A & 26A, Ellis County, Texas and more commonly known as 754 Westmoreland Road, Ovilla, Texas. (Pulled, scrivener error)

Case No. PZ14-03. A request by the City of Ovilla, for a change in zoning from RC (Single Family Residential District 5 Acre Minimum) to RE (Single Family Residential District 1 Acre Minimum) on 4.6 acres of land, more or less, out of the Westmoreland Estates 1, Lot 27A, Ellis County, Texas and more commonly known as 743 Westmoreland Road, Ovilla, Texas.

Case No. PZ14-04. A request by the City of Ovilla, for a change in zoning from RC (Single Family Residential District 5 Acre Minimum) to RE (Single Family Residential District 1 Acre Minimum) on 3.65 acres of land, more or less, out of the Westmoreland Estates 1, Lot 28A, Ellis County, Texas and more commonly known as 739 Westmoreland Road, Ovilla, Texas.

Case No. PZ14-05. A request by the City of Ovilla, for a change in zoning from RC (Single Family Residential District 5 Acre Minimum) to RE (Single Family Residential District 1 Acre Minimum) on 1.88 acres of land, more or less, out of the Westmoreland Estates 1, Lot 29A, Ellis County, Texas and more commonly known as Lot 29A Westmoreland Road, Ovilla, Texas.

Case No. PZ14-06. A request by the City of Ovilla, for a change in zoning from RC (Single Family Residential District 5 Acre Minimum) to RE (Single Family Residential District 1 Acre Minimum) on 2.02 acres of land, more or less, out of the Westmoreland Estates 2 Lot 30A, Ellis County, Texas and more commonly known as 735 Westmoreland Road, Ovilla, Texas.

Case No. PZ14-07. A request by the City of Ovilla, for a change in zoning from RC (Single Family Residential District 5 Acre Minimum) to RE (Single Family Residential District 1 Acre Minimum) on 2.05 acres of land, more or less, out of the Westmoreland Estates 2, Lot 31A, Ellis County, Texas and more commonly known as 733 Westmoreland Road, Ovilla, Texas.

Case No. PZ14-08. A request by the City of Ovilla, for a change in zoning from RC (Single Family Residential District 5 Acre Minimum) to RE (Single Family Residential District 1 Acre Minimum) on 4.83 acres of land, more or less, out of the 210 J. Chapman Survey, Ellis County, Texas and more commonly known as 725 Westmoreland Road, Ovilla, Texas.

Case No. PZ14-09. A request by the City of Ovilla, for a change in zoning from RC (Single Family Residential District 5 Acre Minimum) to RE (Single Family Residential District 1 Acre Minimum) on 3.865 acres of land, more or less, out of the Broadnax Addition, Lot 1, Ellis County, Texas and more commonly known as 721 Westmoreland Road, Ovilla, Texas.

Case No. PZ14-10. A request by the City of Ovilla, for a change in zoning from RC (Single Family Residential District 5 Acre Minimum) to RE (Single Family Residential District 1 Acre Minimum) on 4 acres of land, more or less, out of the 210 J. Chapman Survey, Ellis County, Texas and more commonly known as 719 Westmoreland Road, Ovilla, Texas.

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Case No. PZ14-11 A request by the City of Ovilla, for change in zoning from RC(Single Family Residential District 5 Acre Minimum) to RE (Single Family Residential District 1 acre Minimum) on 4 acres of land, more or less, out of the 210 J. Chapman Survey, Ellis County, Texas and more commonly known as 717 Westmoreland Road, Ovilla, Texas.

Case No. PZ14-12 A request by the City of Ovilla, for change in zoning from RC(Single Family Residential District 5 Acre Minimum) to RE (Single Family Residential District 1 acre Minimum) on 4 acres of land, more or less, out of the 210 J. Chapman Survey, Ellis County, Texas and more commonly known as 713 Westmoreland Road, Ovilla, Texas.

Case No. PZ14-13 A request by the City of Ovilla, for change in zoning from RC(Single Family Residential District 5 Acre Minimum) to RE (Single Family Residential District 1 acre Minimum) on 3.11 acres of land, more or less, out of the 210 J. Chapman Survey, Ellis County, Texas and more commonly known as 707 Westmoreland Road, Ovilla, Texas.

Case No. PZ14-14 A request by the City of Ovilla, for change in zoning from RC(Single Family Residential District 5 Acre Minimum) to RE (Single Family Residential District 1 acre Minimum) on 3.11 acres of land, more or less, out of the 210 J. Chapman Survey, Ellis County, Texas and more commonly known as 801 Hosford Road, Ovilla, Texas.

V. REGULAR AGENDA

- ITEM 1. **DISCUSSION/ACTION – Consideration** of and action on the Proposed Interlocal Cooperation Agreement for Fire Protection and First Responder Services and take action as necessary to direct staff.
- ITEM 2. **DISCUSSION/ACTION** – Case No. PZ14-03. **Receive** recommendation from the Planning and Zoning Commission for consideration of and action on Ordinance 2014-013, Providing for the Amendment to the Zoning Ordinance of the City of Ovilla, TX, that being Ordinance 2010-013, as heretofore amended; Providing a Zoning Classification change from “RC, Single Family Residential District, 5-acre Minimum” to “RE, Single Family Residential District, 1-acre Minimum” on land specifically described herein located with Ellis County Appraisal District and identifies as 27A Westmoreland Road, Estates 1, of the deed records of Ellis County; and providing for immediate effect and otherwise known and referred to as 743 Westmoreland road in the City of Ovilla, TX.
- ITEM 3. **DISCUSSION/ACTION** – Case No. PZ14-04 **Receive** recommendation from the Planning and Zoning Commission for consideration of and action on Ordinance 2014-014, Providing for the Amendment to the Zoning Ordinance of the City of Ovilla, TX, that being Ordinance 2010-013, as heretofore amended; Providing a Zoning Classification change from “RC, Single Family Residential District, 5-acre Minimum” to “RE, Single Family Residential District, 1-acre Minimum” on land specifically described herein located with Ellis County Appraisal District and identifies as 28A Westmoreland Road, Estates 1, of the Deed Records of Ellis County; and providing for immediate effect and otherwise known and referred as 739 Westmoreland Road, Ovilla, Texas.
- ITEM 4. **DISCUSSION/ACTION** – Case No. PZ14-05. **Receive** recommendation from the Planning and Zoning Commission for consideration of and action on Ordinance 2014-015, Providing for the Amendment to the Zoning Ordinance of the City of Ovilla, TX, that being Ordinance 2010-013, as heretofore amended; Providing a Zoning Classification change from “RC, Single

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Family Residential District, 5-acre Minimum” to “RE, Single Family Residential District, 1-acre Minimum” on land specifically described herein located with Ellis County Appraisal District and identifies as 29A Westmoreland Road, Estates 1, of the Deed Records of Ellis County; and providing for immediate effect and otherwise known and referred as 29A Westmoreland Road Estates 1, Ovilla, Texas.

- ITEM 5. **DISCUSSION/ACTION** – Case No. PZ14-06. **Receive** recommendation from the Planning and Zoning Commission for consideration of and action on Ordinance 2014-016, Providing for the Amendment to the Zoning Ordinance of the City of Ovilla, TX, that being Ordinance 2010-013, as heretofore amended; Providing a Zoning Classification change from “RC, Single Family Residential District, 5-acre Minimum” to “RE, Single Family Residential District, 1-acre Minimum” on land specifically described herein located with Ellis County Appraisal District and identifies as 30A Westmoreland Road, Estates 2, of the Deed Records of Ellis County; and providing for immediate effect and otherwise known and referred as 735 Westmoreland Road, Ovilla, Texas.
- ITEM 6. **DISCUSSION/ACTION** – Case No. PZ14-07. **Receive** recommendation from the Planning and Zoning Commission for consideration of and action on Ordinance 2014-017, Providing for the Amendment to the Zoning Ordinance of the City of Ovilla, TX, that being Ordinance 2010-013, as heretofore amended; Providing a Zoning Classification change from “RC, Single Family Residential District, 5-acre Minimum” to “RE, Single Family Residential District, 1-acre Minimum” on land specifically described herein located with Ellis County Appraisal District and identifies as 31A Westmoreland Road, Estates 2, of the Deed Records of Ellis County; and providing for immediate effect and otherwise known and referred as 733 Westmoreland Road, Ovilla, Texas.
- ITEM 7. **DISCUSSION/ACTION** – Case No. PZ14-08. **Receive** recommendation from the Planning and Zoning Commission for consideration of and action on Ordinance 2014-018, Providing for the Amendment to the Zoning Ordinance of the City of Ovilla, TX, that being Ordinance 2010-013, as heretofore amended; Providing a Zoning Classification change from “RC, Single Family Residential District, 5-acre Minimum” to “RE, Single Family Residential District, 1-acre Minimum” on land specifically described herein located with Ellis County Appraisal District and identifies as 210 J. Chapman Survey of the Deed Records of Ellis County; and providing for immediate effect and otherwise known and referred as 725 Westmoreland Road, Ovilla, Texas.
- ITEM 8. **DISCUSSION/ACTION** – Case No. PZ14-09. **Receive** recommendation from the Planning and Zoning Commission for consideration of and action on Ordinance 2014-019, Providing for the Amendment to the Zoning Ordinance of the City of Ovilla, TX, that being Ordinance 2010-013, as heretofore amended; Providing a Zoning Classification change from “RC, Single Family Residential District, 5-acre Minimum” to “RE, Single Family Residential District, 1-acre Minimum” on land specifically described herein located with Ellis County Appraisal District and identifies as Lot 1, Broadnax Addition, of the Deed Records of Ellis County; and providing for immediate effect and otherwise known and referred as 721 Westmoreland Road, Ovilla, Texas.
- ITEM 9. **DISCUSSION/ACTION** – Case No. PZ14-10. **Receive** recommendation from the Planning and Zoning Commission for consideration of and action on Ordinance 2014-020, Providing for the Amendment to the Zoning Ordinance of the City of Ovilla, TX, that being Ordinance 2010-013, as heretofore amended; Providing a Zoning Classification change from “RC, Single

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Family Residential District, 5-acre Minimum” to “RE, Single Family Residential District, 1-acre Minimum” on land specifically described herein located with Ellis County Appraisal District and identifies as 210 J. Chapman Survey, of the Deed Records of Ellis County; and providing for immediate effect and otherwise known and referred as 719 Westmoreland Road, Ovilla, Texas.

ITEM 10. **DISCUSSION/ACTION** – Case No. PZ14-11. **Receive** recommendation from the Planning and Zoning Commission for consideration of and action on Ordinance 2014-021, Providing for the Amendment to the Zoning Ordinance of the City of Ovilla, TX, that being Ordinance 2010-013, as heretofore amended; Providing a Zoning Classification change from “RC, Single Family Residential District, 5-acre Minimum” to “RE, Single Family Residential District, 1-acre Minimum” on land specifically described herein located with Ellis County Appraisal District and identifies as 210 J. Chapman Survey, of the Deed Records of Ellis County; and providing for immediate effect and otherwise known and referred as 717 Westmoreland Road, Ovilla, Texas.

ITEM 11. **DISCUSSION/ACTION** - Case No. PZ14-12. **Receive** recommendation from the Planning and Zoning Commission for consideration of and action on Ordinance 2014-022, Providing for the Amendment to the Zoning Ordinance of the City of Ovilla, TX, that being Ordinance 2010-013, as heretofore amended; Providing a Zoning Classification change from “RC, Single Family Residential District, 5-acre Minimum” to “RE, Single Family Residential District, 1-acre Minimum” on land specifically described herein located with Ellis County Appraisal District and identifies as 210 J. Chapman Survey, of the Deed Records of Ellis County; and providing for immediate effect and otherwise known and referred as 713 Westmoreland Road, Ovilla, Texas.

ITEM 12. **DISCUSSION/ACTION** - Case No. PZ14-13. **Receive** recommendation from the Planning and Zoning Commission for consideration of and action on Ordinance 2014-023, Providing for the Amendment to the Zoning Ordinance of the City of Ovilla, TX, that being Ordinance 2010-013, as heretofore amended; Providing a Zoning Classification change from “RC, Single Family Residential District, 5-acre Minimum” to “RE, Single Family Residential District, 1-acre Minimum” on land specifically described herein located with Ellis County Appraisal District and identifies as 210 J. Chapman Survey, of the Deed Records of Ellis County; and providing for immediate effect and otherwise known and referred as 707 Westmoreland Road, Ovilla, Texas.

ITEM 13. **DISCUSSION/ACTION** - Case No. PZ14-14. **Receive** recommendation from the Planning and Zoning Commission for consideration of and action on Ordinance 2014-024, Providing for the Amendment to the Zoning Ordinance of the City of Ovilla, TX, that being Ordinance 2010-013, as heretofore amended; Providing a Zoning Classification change from “RC, Single Family Residential District, 5-acre Minimum” to “RE, Single Family Residential District, 1-acre Minimum” on land specifically described herein located with Ellis County Appraisal District and identifies as 210 J. Chapman Survey, of the Deed Records of Ellis County; and providing for immediate effect and otherwise known and referred as 801 Hosford Road, Ovilla, Texas.

ITEM 14. **DISCUSSION/ACTION** – **Receive recommendation from the Planning and Zoning Commission for consideration and action on Ordinance 2014-025 amending Chapter 4 “Business Regulations” of the Code of Ordinances of the City of Ovilla, Providing Article 4.11, entitled “Regulation of Boarding Home Facilities” requiring permits and payment of fees; adopting standards regarding construction and remodeling of Board Homes; Adopting Standards for**

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Sanitary and Related Conditions; Requiring the Reporting and Investigation of Injuries, Incidents, and Unusual Accidents and the Establishment of Policies and Procedures to Ensure Resident Health and Safety; Setting Forth Procedures for Assistance with Self-Administration of Medication; Requiring In-Service Education of Boarding Home Facility Staff; Requiring Criminal History Record Checks; Requiring Assessment and Periodic Monitoring to Ensure that a Resident does not Require Personal Care, nursing or other services and is capable of self-administering medication; providing for penalties, revocation of permit, and an appeals process, providing a savings clause, providing a severability clause, providing and effective date, providing for incorporation into the Code of Ordinances; and providing for publication.

- ITEM 15. **DISCUSSION/ACTION – Consideration** of and action on Ordinance 2014-026 of the City of Ovilla, TX, amending the Fiscal Year 2013-14 Water and Sewer Fund Budget and Annual Program of Services for the City of Ovilla to allow for an adjustment of \$2,000, appropriating funds for increased expenditures for the emergency replacement of a sewer pump and; appropriating said funds from the Unassigned Fund Balance, providing that expenditures for FY2013-14 be made in accordance with said amended budget; providing a severability clause; providing and effective date.
- ITEM 16. **DISCUSSION/ACTION – Discussion** regarding the City's policy requiring a permit for fill dirt and review of the 2007 Building Code requirements and take action as necessary to direct staff.
- ITEM 17. **DISCUSSION/ACTION – Discussion** regarding the City's Policy and Procedure Guide to Purchasing revised July 14, 2014 and adopted by Ordinance 2014-011 and take action as necessary to direct staff.
- ITEM 18. **DISCUSSION/ACTION - Consideration** of and action on the appointment of an ad hoc member to the Planning and Zoning Commission for the purpose of reviewing the impact fees and making a recommendation to City Council for consideration.
- ITEM 19. **DISCUSSION/ACTION - Review** and discuss the Main Street Sewer Project and take action as necessary to direct staff.

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).

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

VI. REQUESTS FOR FUTURE AGENDA ITEMS

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VII. ADJOURNMENT

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the August 11, 2014 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 8th day of August 2014 prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code.



Pamela Woodall

Pamela Woodall, City Secretary

DATE OF POSTING: 8-8-2014 TIME: 10:30 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.